

THURSDAY, APRIL 6, 2023

TWENTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Pastor Eric Thoman, Etter Baptist Church, Byrdstown, TN.

Representative Keisling led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 98

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 65 Reps. Farmer, Bulso and Garrett as prime sponsors.

House Joint Resolution No. 507 Rep. Reedy as prime sponsor.

House Joint Resolution No. 508 Rep. Lynn as prime sponsor.

House Joint Resolution No. 509 Rep. Williams as prime sponsor.

House Joint Resolution No. 514 Rep. Campbell as prime sponsor.

House Bill No. 36 Rep. Slater as prime sponsor.

House Bill No. 253 Reps. Terry, Howell, Helton-Haynes and Ragan as prime sponsors.

House Bill No. 296 Reps. Burkhart, Moon and Grills as prime sponsors.

VERSION

House Bill No. 318 Reps. Russell, Bricken, Alexander, Gant, Helton-Haynes, Littleton, Moody, Ragan, Lynn, Hazlewood and Doggett as prime sponsors.

House Bill No. 322 Reps. Davis, Russell, Bricken, Alexander, Moon, Boyd, Burkhart, Holsclaw, Sherrell, Crawford, Sexton, Travis, Zachary, Grills, B. Martin, Darby, Vaughan, Powell, Faison, G. Hicks, Wright, Hurt, Hardaway, Hale, McCalmon, Barrett, G. Martin, Beck, Cepicky, Capley, Helton-Haynes, Whitson, Hawk, Littleton, Marsh, Powers, Parkinson, Reedy, Moody, Williams, Warner, Carringer, Carr, Eldridge, Sparks, T. Hicks, Vital, Jernigan, Lafferty, Rudder and Kumar as prime sponsors.

House Bill No. 392 Rep. McCalmon as prime sponsor.

House Bill No. 403 Rep. Farmer as prime sponsor.

House Bill No. 445 Reps. Moon, Hardaway, McCalmon, Jernigan, Leatherwood, Helton-Haynes and Slater as prime sponsors.

House Bill No. 551 Reps. Russell, Bricken, Alexander, Whitson, Wright, Butler, Cepicky, Terry, Moody, Howell and Lafferty as prime sponsors.

House Bill No. 641 Reps. Hardaway, Whitson and Butler as prime sponsors.

House Bill No. 667 Reps. Alexander, Vital, Whitson, Littleton, Helton-Haynes, Powell, Hazlewood and Parkinson as prime sponsors.

House Bill No. 727 Rep. Fritts as First prime sponsor.

House Bill No. 750 Reps. Clemmons, Beck, Hemmer, Mitchell, Glynn, Pearson, Moon, Rudd, Camper and Cepicky as prime sponsors.

House Bill No. 859 Reps. Towns, Powell, Whitson, Littleton, Terry, Miller, Haston, Cepicky, Love and Beck as prime sponsors.

House Bill No. 970 Rep. Powell as prime sponsor.

House Bill No. 982 Reps. Hazlewood and Ragan as prime sponsors.

House Bill No. 1000 Reps. Faison, Bricken, Powell, Littleton, McCalmon, Miller and Jernigan as prime sponsors.

House Bill No. 1012 Reps. Russell, Farmer, Powers and Todd as prime sponsors.

House Bill No. 1016 Reps. Lamberth, Sherrell, Doggett, Howell, Zachary, Cochran, Ragan, Littleton, Terry, Slater, Moody, Whitson, Boyd, Hurt, Warner, Barrett, Helton-Haynes, Reedy, Powers and Cepicky as prime sponsors.

VERSION

House Bill No. 1051 Reps. Alexander, Wright, Hardaway, Towns, Cepicky, Littleton, Carr, Helton-Haynes, Hawk, Ragan, Hale, Lafferty, Bulso, Vital, Slater, T. Hicks, Moody, B. Martin, Whitson, Zachary, Reedy, Rudder, McCalmon, Howell and Hurt as prime sponsors.

House Bill No. 1072 Reps. Rudder, Terry, Beck, Bricken, Chism, Powell, Alexander, Holsclaw, C. Johnson, Jernigan, Powers and Eldridge as prime sponsors.

House Bill No. 1081 Reps. Towns, Harris, Camper, Chism, Miller and Love as prime sponsors.

House Bill No. 1232 Rep. Whitson as prime sponsor.

House Bill No. 1233 Rep. Powell as prime sponsor.

House Bill No. 1261 Reps. Cepicky, Littleton and Slater as prime sponsors.

House Bill No. 1310 Reps. Vital, Ragan and Moody as prime sponsors.

House Bill No. 1312 Reps. Hardaway, Ragan, Helton-Haynes, Sparks, Howell and Thompson as prime sponsors.

House Bill No. 1319 Reps. Russell, Bricken, Sherrell, McCalmon, Whitson, Sparks, Moody, White and Powers as prime sponsors.

House Bill No. 1346 Rep. Gant as prime sponsor.

House Bill No. 1388 Rep. Reedy as prime sponsor.

House Bill No. 1416 Rep. Butler as prime sponsor.

House Bill No. 1431 Rep. Davis as prime sponsor.

House Bill No. 1482 Rep. Howell as prime sponsor.

MESSAGE FROM THE SENATE

April 4, 2023

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 427, 466, 467, 468, 469 and 473; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 4, 2023

VERSION

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 47, 99, 407, 554, 752, 910, 1193, 1437, 1534, 1553, 1555, 1556 and 1557; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 148, 342, 343, 344, 345, 346, 347, 349, 350, 352, 353, 354, 356, 357 and 532; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 148** -- General Assembly, Statement of Intent or Position - Reaffirms the legislature's intent to provide access to contraceptives. by *Akbari, *Yarbro, *Lamar.

***Senate Joint Resolution No. 342** -- Memorials, Death - Sergeant. Harold Lee Russell II, Tennessee Highway Patrol. by *Stevens, *McNally, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro.

***Senate Joint Resolution No. 343** -- Memorials, Death - Judge John Everett Williams. by *Stevens, *McNally, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro.

***Senate Joint Resolution No. 344** -- Memorials, Death - Mayor Dale R. Kelley. by *Stevens, *McNally, *Yager, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yarbro.

***Senate Joint Resolution No. 345** -- Memorials, Sports - Upperman High School baseball team, 2022 TSSAA State Champions. by *Bailey.

***Senate Joint Resolution No. 346** -- Memorials, Recognition - John H. White III, Tree Farmer of the Year. by *Walley.

VERSION

***Senate Joint Resolution No. 347** -- Memorials, Heroism - Vietnam Veterans Day and 50th anniversary of withdrawal of U.S. troops from Vietnam. by *Johnson, *Hensley, *Lowe, *Yager.

***Senate Joint Resolution No. 349** -- Memorials, Recognition - Dr. C. William "Bill" McKee. by *Pody.

***Senate Joint Resolution No. 350** -- Memorials, Interns - Katelyn Davis. by *Stevens, *Reeves, *Roberts.

***Senate Joint Resolution No. 352** -- Memorials, Recognition - Heather Bay, Airport Manager of the Year. by *Pody.

***Senate Joint Resolution No. 353** -- Memorials, Retirement - Diane Jordan. by *Walley.

***Senate Joint Resolution No. 354** -- Memorials, Retirement - Russell Clayton. by *Walley.

***Senate Joint Resolution No. 356** -- Memorials, Recognition - Tennessee marching bands. by *Pody, *Lowe.

***Senate Joint Resolution No. 357** -- Memorials, Retirement - Catherine "Katy" Varney. by *Yarbro, *Kyle.

***Senate Joint Resolution No. 532** -- Memorials, Recognition - State Capitol Troopers and Sergeants at Arms. by *Lowe, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lundberg, *Massey, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro, *McNally.

MESSAGE FROM THE SENATE
April 4, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 213, 469, 477, 559, 561, 576, 698, 807, 838, 845, 858, 863, 927, 937, 993 and 1391; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 213 -- Criminal Offenses - As introduced, requires a person convicted of domestic assault involving strangulation to serve a mandatory minimum sentence of 30 days incarceration; states that a defendant who commits aggravated assault in which the victim of the offense loses consciousness due to strangulation may be prosecuted for attempted second degree murder. - Amends TCA Title 39 and Title 40. by *Johnson, *Bowling, *Gardenhire, *Haile, *Lowe, *McNally, *Pody, *Roberts, *Rose, *Taylor, *White. (*HB248 by *McCalmon, *Lamberth, *Davis, *Doggett, *Moody, *Carringer, *Sherrell)

VERSION

Senate Bill No. 469 -- Taxes, Exemption and Credits - As introduced, exempts from the sales tax the retail sale of trailers that are removed for registration and use in another state within three calendar days of purchase. - Amends TCA Title 67, Chapter 6, Part 3. by *Rose, *Bowling. (*HB125 by *Leatherwood)

***Senate Bill No. 477** -- Election Laws - As introduced, authorizes Henry County to establish a convenient voting center pilot program. - Amends TCA Title 2, Chapter 3, Part 3. by *Stevens. (HB632 by *Darby, *Reedy)

Senate Bill No. 559 -- Zoning - As introduced, states that property owners should expect that a permit application will be judged on the law in effect at the time of application; declares that the general assembly rejects the pending ordinance doctrine, as described by the Tennessee supreme court in its May 14, 2007, opinion in the case of Harding Academy v. Metropolitan Government of Nashville and Davidson County, as contrary to the public policy interests of property owners in this state. - Amends TCA Title 27 and Title 29. by *Rose, *Stevens, *Yager, *Pody, *Lowe, *Bowling, *Taylor, *Walley. (*HB170 by *Ragan, *Lynn, *Davis, *White, *Hulsey, *Moon, *Doggett, *Johnson C, *Eldridge, *Boyd, *Grills, *McCalmon, *Russell, *Moody, *Lamberth, *Butler, *Martin B, *Terry, *Carringer, *Keisling, *Darby, *Powers, *Sherrell, *Capley, *Gant, *Howell, *Slater, *Barrett)

***Senate Bill No. 561** -- Regional Authorities and Special Districts - As introduced, authorizes certain governmental employees to provide security at a megasite; extends tort immunity to governmental entities and governmental employees providing such security. - Amends TCA Title 29, Chapter 20; Section 38-8-133 and Title 64, Chapter 9. by *Walley, *Bowling. (HB1517 by *Shaw)

Senate Bill No. 576 -- Motor Vehicles, Titling and Registration - As introduced, permits registration plates to be renewed every 24 months instead of 12 months. - Amends TCA Title 5, Chapter 8, Part 1; Title 55, Chapter 4 and Title 55, Chapter 6. by *Pody, *Bowling, *Taylor. (*HB345 by *Sparks, *Mitchell, *Rudd, *Thompson, *Reedy, *Gant, *Jones, *Marsh, *Johnson C, *Whitson, *Vital, *Sherrell, *Stevens, *Powell, *Warner, *Harris, *Butler, *Hakeem, *Terry, *Jernigan, *Eldridge, *Bricken, *Fritts, *Hale, *Davis, *Baum)

***Senate Bill No. 698** -- Health Care - As introduced, authorizes a healthcare facility to provide a method for an insured, or the insured's personal representative, to acknowledge and sign, by electronic means, a written notice whereby the insured agrees to receive medical services by an out-of-network provider for purposes of the facility collecting out-of-network charges from the insured. - Amends TCA Title 14; Title 33; Title 56; Title 63 and Title 68. by *Crowe. (HB1358 by *Farmer)

Senate Bill No. 807 -- Criminal Offenses - As introduced, increases the percentage of restitution for victims of aggravated assault, injured in the scope of their official duties as employees of a penal institution, that will be deducted from the inmate's commissary account from 50 percent to 70 percent. - Amends TCA Title 38; Title 39; Title 40 and Title 41. by *Massey, *Jackson. (*HB832 by *Hulsey, *Davis)

VERSION

***Senate Bill No. 838** -- Local Education Agencies - As introduced, authorizes an LEA to award a high school student credit for a course offered by the LEA's high school if the student attains a qualifying score on the course's final examination without requiring the student to enroll in the course. - Amends TCA Title 49. by *White, *Crowe, *Jackson, *Pody, *Lowe, *Haile, *Powers, *Akbari, *Lundberg, *Hensley, *Bowling, *Stevens, *Walley. (HB962 by *Slater, *Cepicky, *Moody, *White, *Butler, *Cochran, *Carringer, *Ragan, *Lafferty, *Bulso, *McCalmon, *Rudder, *Haston, *Hurt, *Doggett)

***Senate Bill No. 845** -- Utilities, Utility Districts - As introduced, creates the Tennessee board of utility regulation; increases, from 30 to 60, the number of days a utility customer has to file a complaint with the commissioners of the customer's utility district regarding the utility district's adopted rates; requires certain utility systems to submit annual reports to the Tennessee board of utility regulation; makes other various changes to the management of utility systems. - Amends TCA Title 4; Title 7; Title 8; Title 64; Title 65; Title 67 and Title 68. by *Reeves. (HB947 by *Boyd, *Williams)

Senate Bill No. 858 -- Hospitals and Health Care Facilities - As introduced, authorizes the health facilities commission and the department of mental health and substance abuse services to jointly license and regulate facilities that have psychiatric beds and acute care beds and have as a primary purpose or function the provision of psychiatric services; requires the health facilities commission, in consultation with the department of mental health and substance abuse services, to promulgate rules to establish a process to jointly license and regulate such facilities. - Amends TCA Title 4; Title 33; Title 68 and Title 71. by *Reeves, *Jackson. (*HB952 by *Boyd, *Gant)

Senate Bill No. 863 -- Real Property - As introduced, requires the board of directors for a unit owners' association to have a reserve study done on or before January 1, 2024, if the board has not had a reserve study conducted on or after January 1, 2023; requires the board to have an updated reserve study done within five years of the date that the reserve study is done, and every five years thereafter. - Amends TCA Title 66, Chapter 27. by *Reeves. (*HB750 by *Powell, *Jernigan, *Clemmons, *Beck, *Hemmer, *Mitchell, *Glynn, *Pearson, *Moon, *Rudd, *Camper, *Cepicky)

***Senate Bill No. 927** -- Prisons and Reformatory Institutions - As introduced, requires, rather than authorizes, the superintendent, director, or warden of a correctional institution or county or municipal jail or workhouse to warn, no less than twice per year, rather than periodically, all employees at risk of potential exposure to bloodborne pathogens, that a portion of the inmate population is likely to be infected with a bloodborne pathogen. - Amends TCA Title 5; Title 41 and Title 68. by *Lundberg, *Jackson, *Massey, *Walley. (HB1484 by *Hulsey)

VERSION

***Senate Bill No. 937** -- Medical Occupations - As introduced, enacts the "Graduate Physicians Act." - Amends TCA Title 49; Title 63 and Title 68. by *Briggs, *Jackson, *Stevens. (HB1311 by *Kumar)

Senate Bill No. 993 -- Alcoholic Beverage Commission - As introduced, authorizes sale and consumption of alcoholic beverages on certain commercial passenger buses. - Amends TCA Title 57, Chapter 4. by *Yager. (*HB867 by *Littleton, *McCalmon)

Senate Bill No. 1391 -- General Assembly - As introduced, adds certain exceptions to the prohibition that members of the general assembly may not bid on, sell, or offer for sale any service to a state entity or have a financial interest in the bid, sale, or offer for sale of any service to a state entity. - Amends TCA Section 12-4-103. by *Haile. (*HB1519 by *Hicks G)

SIGNED
April 4, 2023

The Speaker announced that he had signed the following: House Bills Nos. 946, 1536, 1540 and 1551.

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 4, 2023

The Speaker announced that he had signed the following: Senate Bills Nos. 172, 218, 249, 263, 476, 504, 515, 523, 533, 834, 1155 and 1203.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 11, 233, 235, 236, 323, 324, 325, 326, 327, 328, 330, 331, 332, 333, 336, 337, 338, 339, 341, 348, 361 and 482; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 4, 2023

VERSION

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 11, 233, 235, 236, 323, 324, 325, 326, 327, 328, 330, 331, 332, 333, 336, 337, 338, 339, 341, 348, 361 and 482.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE SENATE

April 4, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 40, 86, 97, 273, 279, 368, 382, 401, 424, 434, 443, 492, 511, 600, 628, 629, 638, 746, 953, 1006, 1132, 1195, 1212, 1214, 1281, 1437 and 1438; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 4, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 355; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 4, 2023

The Speaker announced that he had signed the following: Senate Joint Resolution No. 355.

TAMMY LETZLER, Chief Clerk

ENROLLED BILLS

April 4, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 55, 56, 57, 58, 59, 60, 61 and 62; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 4, 2023

The Speaker announced that he had signed the following: House Resolutions Nos. 55, 56, 57, 58, 59, 60, 61 and 62.

GREG GLASS, Chief Engrossing Clerk

VERSION

ENROLLED BILLS

April 4, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 47, 99, 407, 554, 752, 910, 1193, 1437, 1534, 1553, 1555, 1556 and 1557; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 4, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 427, 466, 467, 468, 469 and 473; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 4, 2023

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 427, 466, 467, 468, 469 and 473.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 4, 2023

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 427, 466, 467, 468, 469 and 473; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 4, 2023

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 164, 323, 334, 493, 606, 1013, 1562 and 1563; House Joint Resolutions Nos. 487, 488, 489, 490, 491, 492, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506 and 512;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 4, 2023

1204

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

VERSION

MR. SPEAKER: I am directed to return to the House, House Bill No. 644; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 4, 2023**

MR. SPEAKER: I am directed to return to the House, House Bill No. 988; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 4, 2023**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1306; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 4, 2023**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1342; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 5, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 44, 62, 277 and 278; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 5, 2023**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 44, 62, 277 and 278.

TAMMY LETZLER, Chief Clerk

VERSION

MESSAGE FROM THE SENATE

April 5, 2023

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 946, 1536, 1540 and 1551; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 5, 2023

The Speaker announced that he had signed the following: Senate Bills Nos. 40, 86, 97, 273, 279, 368, 382, 401, 424, 434, 443, 492, 511, 600, 628, 629, 638, 746, 953, 1006, 1132, 1195, 1212, 1214, 1281, 1437 and 1438.

TAMMY LETZLER, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 5, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 946, 1536, 1540 and 1551; House Joint Resolutions Nos. 427, 466, 467, 468, 469 and 473; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 6, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 559; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 559** -- Memorials, Recognition - Arab American Heritage Month. by *Massey.

MESSAGE FROM THE SENATE

April 6, 2023

VERSION

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 656; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 656 -- Children's Services, Dept. of - As introduced, requires a court to find that a child will receive proper care and supervision in a safe home prior to the department allowing a parent or guardian to have unsupervised visitation with, or physical custody of, the child, who was removed from the parent or guardian's custody due to a finding of dependency and neglect; requires the department to observe the parent or guardian with the child before recommending the return of physical custody to the parent or guardian. - Amends TCA Title 36 and Title 37. by *Jackson, *Haile. (*HB641 by *Littleton, *Hardaway, *Whitson, *Butler)

MESSAGE FROM THE SENATE

April 6, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 270; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 270** -- Children - As introduced, requires that a list of services available from other state programs and agencies be included in all plans established by agencies for a child in foster care. - Amends TCA Title 36, Chapter 1, Part 1 and Title 37, Chapter 2, Part 4. by *Johnson, *Haile, *White. (HB318 by *Lamberth, *Cochran, *Rudder, *Russell, *Bricken, *Alexander, *Gant, *Helton-Haynes, *Littleton, *Moody, *Ragan, *Lynn, *Hazlewood, *Doggett)

MESSAGE FROM THE SENATE

April 6, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 528; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 528** -- Adoption - As introduced, makes various changes to adoption law, including reducing the waiting period before finalization of adoption in certain circumstances. - Amends TCA Title 36; Title 37 and Title 68, Chapter 3, Part 3. by *Haile, *Crowe, *Massey, *Reeves, *Campbell, *White, *Walley. (HB551 by *Littleton, *Helton-Haynes, *White, *Bulso, *Harris, *Hakeem, *Slater, *Russell, *Bricken, *Alexander, *Whitson, *Wright, *Butler, *Cepicky, *Terry, *Moody, *Howell, *Lafferty)

MESSAGE FROM THE SENATE
April 6, 2023

MR. SPEAKER: I am directed to request the return of Senate Joint Resolution No. 234; for further consideration.

RUSSELL A. HUMPHREY, Chief Clerk

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 10, 2023:

House Resolution No. 66 -- Memorials, Recognition - Makky Kaylor. by *White.

House Resolution No. 67 -- Memorials, Interns - Britney Lin. by *Zachary.

House Resolution No. 68 -- Memorials, Death - Minister Suhkara A. Yahweh. by *Miller.

House Resolution No. 69 -- Memorials, Recognition - Jasmine Carson. by *Miller.

House Resolution No. 70 -- Memorials, Interns - Taylor Ray. by *Glynn.

***House Joint Resolution No. 513** -- Memorials, Recognition - Alexa Austin. by *Faison.

***House Joint Resolution No. 515** -- Memorials, Interns - Kay Allen. by *Ragan.

***House Joint Resolution No. 516** -- Memorials, Retirement - Marshall McKamey. by *Powers.

***House Joint Resolution No. 517** -- Memorials, Recognition - James Davis, Elbert K. Fretwell Award. by *Powers.

***House Joint Resolution No. 518** -- Memorials, Recognition - Judge E. Shayne Sexton, Campbell County Good Scout Award. by *Powers.

***House Joint Resolution No. 519** -- Memorials, Recognition - Mildred Mitchell. by *Powers.

***House Joint Resolution No. 520** -- Memorials, Retirement - Beverly Birdwell. by *Keisling.

***House Joint Resolution No. 521** -- Memorials, Recognition - Nashville Fire Department and Nashville Department of Emergency Communications 911. by *Freeman.

VERSION

***House Joint Resolution No. 522** -- Memorials, Recognition - Sexual Assault Awareness Month. by *Freeman.

***House Joint Resolution No. 523** -- Memorials, Death - Evelyn Marie Dieckhaus. by *Freeman.

***House Joint Resolution No. 524** -- Memorials, Death - Hallie Scruggs. by *Freeman.

***House Joint Resolution No. 525** -- Memorials, Death - William Kinney. by *Freeman.

***House Joint Resolution No. 526** -- Memorials, Death - Dr. Katherine Koonce. by *Freeman.

***House Joint Resolution No. 527** -- Memorials, Death - Cynthia Broyles Peak. by *Freeman.

***House Joint Resolution No. 528** -- Memorials, Death - Michael "Mike" Hill. by *Freeman.

***House Joint Resolution No. 529** -- Memorials, Death - David Hicks Lillard, Sr. by *Lamberth.

***House Joint Resolution No. 530** -- Memorials, Interns - Shania Sutton. by *Parkinson, *Harris, *Chism, *Dixie, *Miller.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for April 10, 2023:

***Senate Joint Resolution No. 559** -- Memorials, Recognition - Arab American Heritage Month. by *Massey.

RESOLUTIONS LYING OVER

On motion, the resolution listed was referred to the appropriate Committee:

***Senate Joint Resolution No. 148** -- General Assembly, Statement of Intent or Position - Reaffirms the legislature's intent to provide access to contraceptives. by *Akbari, *Yarbro, *Lamar.

House Health Committee

VERSION

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1571** -- Oakland - Subject to local approval, authorizes the board of mayor and aldermen to appoint and remove all directors and department heads, upon majority vote; and replaces the town manager with the board as the appointing authority for the town recorder. - Amends Chapter 167 of the Private Acts of 1994; as amended. by *Gant.

***House Bill No. 1572** -- Bolivar - Subject to local approval, increases the maximum threshold, from \$50,000 to \$100,000, that the board of directors of the Bolivar Energy Authority are authorized to set for purchases by the chief executive officer that do not require board approval. - Amends Chapter 130 of the Private Acts of 2006. by *Shaw.

House Bill No. 1573 -- Sullivan County - Subject to local approval, removes the prohibition on the general sessions court from hearing a case in which the defendant is charged with driving a motor vehicle under the influence of an intoxicant or drug. - Amends Chapter 349 of the Private Acts of 1947; as amended. by *Hulsey.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 213 -- Criminal Offenses - As introduced, requires a person convicted of domestic assault involving strangulation to serve a mandatory minimum sentence of 30 days incarceration; states that a defendant who commits aggravated assault in which the victim of the offense loses consciousness due to strangulation may be prosecuted for attempted second degree murder. - Amends TCA Title 39 and Title 40. by *Johnson, *Bowling, *Gardenhire, *Haile, *Lowe, *McNally, *Pody, *Roberts, *Rose, *Taylor, *White. (*HB248 by *McCalmon, *Lamberth, *Davis, *Doggett, *Moody, *Carringer, *Sherrell)

Senate Bill No. 469 -- Taxes, Exemption and Credits - As introduced, exempts from the sales tax the retail sale of trailers that are removed for registration and use in another state within three calendar days of purchase. - Amends TCA Title 67, Chapter 6, Part 3. by *Rose, *Bowling. (*HB125 by *Leatherwood)

VERSION

***Senate Bill No. 477** -- Election Laws - As introduced, authorizes Henry County to establish a convenient voting center pilot program. - Amends TCA Title 2, Chapter 3, Part 3. by *Stevens. (HB632 by *Darby, *Reedy)

Senate Bill No. 559 -- Zoning - As introduced, states that property owners should expect that a permit application will be judged on the law in effect at the time of application; declares that the general assembly rejects the pending ordinance doctrine, as described by the Tennessee supreme court in its May 14, 2007, opinion in the case of Harding Academy v. Metropolitan Government of Nashville and Davidson County, as contrary to the public policy interests of property owners in this state. - Amends TCA Title 27 and Title 29. by *Rose, *Stevens, *Yager, *Pody, *Lowe, *Bowling, *Taylor, *Walley. (*HB170 by *Ragan, *Lynn, *Davis, *White, *Hulsey, *Moon, *Doggett, *Johnson C, *Eldridge, *Boyd, *Grills, *McCalmon, *Russell, *Moody, *Lamberth, *Butler, *Martin B, *Terry, *Carringer, *Keisling, *Darby, *Powers, *Sherrell, *Capley, *Gant, *Howell, *Slater, *Barrett)

***Senate Bill No. 561** -- Regional Authorities and Special Districts - As introduced, authorizes certain governmental employees to provide security at a megasite; extends tort immunity to governmental entities and governmental employees providing such security. - Amends TCA Title 29, Chapter 20; Section 38-8-133 and Title 64, Chapter 9. by *Walley, *Bowling. (HB1517 by *Shaw)

Senate Bill No. 576 -- Motor Vehicles, Titling and Registration - As introduced, permits registration plates to be renewed every 24 months instead of 12 months. - Amends TCA Title 5, Chapter 8, Part 1; Title 55, Chapter 4 and Title 55, Chapter 6. by *Pody, *Bowling, *Taylor. (*HB345 by *Sparks, *Mitchell, *Rudd, *Thompson, *Reedy, *Gant, *Jones, *Marsh, *Johnson C, *Whitson, *Vital, *Sherrell, *Stevens, *Powell, *Warner, *Harris, *Butler, *Hakeem, *Terry, *Jernigan, *Eldridge, *Bricken, *Fritts, *Hale, *Davis, *Baum)

***Senate Bill No. 698** -- Health Care - As introduced, authorizes a healthcare facility to provide a method for an insured, or the insured's personal representative, to acknowledge and sign, by electronic means, a written notice whereby the insured agrees to receive medical services by an out-of-network provider for purposes of the facility collecting out-of-network charges from the insured. - Amends TCA Title 14; Title 33; Title 56; Title 63 and Title 68. by *Crowe. (HB1358 by *Farmer)

Senate Bill No. 807 -- Criminal Offenses - As introduced, increases the percentage of restitution for victims of aggravated assault, injured in the scope of their official duties as employees of a penal institution, that will be deducted from the inmate's commissary account from 50 percent to 70 percent. - Amends TCA Title 38; Title 39; Title 40 and Title 41. by *Massey, *Jackson. (*HB832 by *Hulsey, *Davis)

***Senate Bill No. 838** -- Local Education Agencies - As introduced, authorizes an LEA to award a high school student credit for a course offered by the LEA's high school if the student attains a qualifying score on the course's final examination without requiring the student to enroll in the course. - Amends TCA Title 49. by *White, *Crowe, *Jackson, *Pody, *Lowe, *Haile, *Powers, *Akbari, *Lundberg, *Hensley, *Bowling, *Stevens, *Walley. (HB962 by *Slater,

VERSION

*Cepicky, *Moody, *White, *Butler, *Cochran, *Carringer, *Ragan, *Lafferty, *Bulso, *McCalmon, *Rudder, *Haston, *Hurt, *Doggett)

***Senate Bill No. 845** -- Utilities, Utility Districts - As introduced, creates the Tennessee board of utility regulation; increases, from 30 to 60, the number of days a utility customer has to file a complaint with the commissioners of the customer's utility district regarding the utility district's adopted rates; requires certain utility systems to submit annual reports to the Tennessee board of utility regulation; makes other various changes to the management of utility systems. - Amends TCA Title 4; Title 7; Title 8; Title 64; Title 65; Title 67 and Title 68. by *Reeves. (HB947 by *Boyd, *Williams)

Senate Bill No. 858 -- Hospitals and Health Care Facilities - As introduced, authorizes the health facilities commission and the department of mental health and substance abuse services to jointly license and regulate facilities that have psychiatric beds and acute care beds and have as a primary purpose or function the provision of psychiatric services; requires the health facilities commission, in consultation with the department of mental health and substance abuse services, to promulgate rules to establish a process to jointly license and regulate such facilities. - Amends TCA Title 4; Title 33; Title 68 and Title 71. by *Reeves, *Jackson. (*HB952 by *Boyd, *Gant)

Senate Bill No. 863 -- Real Property - As introduced, requires the board of directors for a unit owners' association to have a reserve study done on or before January 1, 2024, if the board has not had a reserve study conducted on or after January 1, 2023; requires the board to have an updated reserve study done within five years of the date that the reserve study is done, and every five years thereafter. - Amends TCA Title 66, Chapter 27. by *Reeves. (*HB750 by *Powell, *Jernigan, *Clemmons, *Beck, *Hemmer, *Mitchell, *Glynn, *Pearson, *Moon, *Rudd, *Camper, *Cepicky)

***Senate Bill No. 927** -- Prisons and Reformatory Institutions - As introduced, requires, rather than authorizes, the superintendent, director, or warden of a correctional institution or county or municipal jail or workhouse to warn, no less than twice per year, rather than periodically, all employees at risk of potential exposure to bloodborne pathogens, that a portion of the inmate population is likely to be infected with a bloodborne pathogen. - Amends TCA Title 5; Title 41 and Title 68. by *Lundberg, *Jackson, *Massey, *Walley. (HB1484 by *Hulsey)

***Senate Bill No. 937** -- Medical Occupations - As introduced, enacts the "Graduate Physicians Act." - Amends TCA Title 49; Title 63 and Title 68. by *Briggs, *Jackson, *Stevens. (HB1311 by *Kumar)

Senate Bill No. 993 -- Alcoholic Beverage Commission - As introduced, authorizes sale and consumption of alcoholic beverages on certain commercial passenger buses. - Amends TCA Title 57, Chapter 4. by *Yager. (*HB867 by *Littleton, *McCalmon)

VERSION

Senate Bill No. 1391 -- General Assembly - As introduced, adds certain exceptions to the prohibition that members of the general assembly may not bid on, sell, or offer for sale any service to a state entity or have a financial interest in the bid, sale, or offer for sale of any service to a state entity. - Amends TCA Section 12-4-103. by *Haile. (*HB1519 by *Hicks G)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 4, 2023**, reported the following:

COMMERCE COMMITTEE

The Commerce Committee recommended for passage: House Bills Nos. 798, 802, 1181 and 296 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 280, also House Bill No. 1060 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bills Nos. 1109, 1126 and Senate Joint Resolution No. 35, also House Bills Nos. 555, 1400 and 830 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 398, also House Bills Nos. 1030, 1431, 458, 832 and 248 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 403 with amendments.

FINANCE, WAYS, AND MEANS COMMITTEE

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 921 and 312, also House Bills Nos. 191, 137, 138 and 632 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bills Nos. 1568, 1564, 1561, 1567, 1565, 1560 and Senate Joint Resolution No. 31, also House Bills Nos. 1552, 772, 1569 and 864 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

VERSION

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 5, 2023**, reported the following:

CIVIL JUSTICE COMMITTEE

The Civil Justice Committee recommended for passage: House Bills Nos. 944 and 987 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1346 and 760 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reports that House Bill No. 1517 was considered, but failed to pass.

EDUCATION ADMINISTRATION COMMITTEE

The Education Administration Committee recommended for passage: House Bills Nos. 957, 1416 and 889, also House Bills Nos. 1202, 786, 1088, 369, 662, 1295, 897, 962, 995 and 663 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 435, 784, 158 and 1075, also House Bill No. 276 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 424, 432, 348 and 1150 with amendments.

HEALTH COMMITTEE

The Health Committee recommended for passage: House Bills Nos. 647 and 273 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 738 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 1380, 942, 1317, 271 and 566 with amendments.

STATE GOVERNMENT COMMITTEE

VERSION

The State Government Committee recommended for passage: House Bill No. 1519 and Senate Joint Resolution No. 4, also House Bill No. 23 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 317 and 975, also House Bills Nos. 328 and 1072 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1025 with amendments.

The Committee further reports that House Bill No. 1230 was considered, but failed to pass.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 6, 2023**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 10, 2023**: House Bills Nos. 535, 296, 786, 830, 1181, 1569, 1565, 885, 798, 369, 555, 23, 772, 919, 1560, 1295, 864, 632, 415, 315, and 1194.

The committee also set the following bills on the **Regular Calendar** for **April 13, 2023**: House Bills Nos. 981, 137, 138, 802, 921, 1376, 514, 940, 944, 379, 987, 647, 1088, 24, 685, 686, 897, 962, 995, 273, 616, 619, and 1109.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 10, 2023**: House Bills Nos. 1567, 537, 1558, Senate Joint Resolution No. 4, House Bills Nos. 312, 1564, 1126, 1561, Senate Joint Resolution No. 35, House Bills Nos. 1568, and 957.

CONSENT CALENDAR

***House Joint Resolution No. 507** -- Memorials, Sports - Clarksville Christian School, Lady Centurions, 2023 Division III NACA National Championship. by *Burkhart, *Johnson C, *Glynn, *Reedy.

***House Joint Resolution No. 508** -- Memorials, Recognition - Heather Marie Williams Bay, Airport Manager of the Year. by *Boyd, *Lynn.

***House Joint Resolution No. 509** -- Memorials, Death - Bobby "Allen" Roberts. by *Butler, *Williams.

***House Joint Resolution No. 510** -- Memorials, Interns - Koltier Ryan. by *Rudd.

VERSION

***House Joint Resolution No. 511** -- Memorials, Retirement - Wayne Causey. by *Todd.

***Senate Joint Resolution No. 342** -- Memorials, Death - Sergeant. Harold Lee Russell II, Tennessee Highway Patrol. by *Stevens, *McNally, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro.

***Senate Joint Resolution No. 343** -- Memorials, Death - Judge John Everett Williams. by *Stevens, *McNally, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro.

***Senate Joint Resolution No. 344** -- Memorials, Death - Mayor Dale R. Kelley. by *Stevens, *McNally, *Yager, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Swann, *Taylor, *Walley, *Watson, *White, *Yarbro.

***Senate Joint Resolution No. 345** -- Memorials, Sports - Upperman High School baseball team, 2022 TSSAA State Champions. by *Bailey.

***Senate Joint Resolution No. 346** -- Memorials, Recognition - John H. White III, Tree Farmer of the Year. by *Walley.

***Senate Joint Resolution No. 347** -- Memorials, Heroism - Vietnam Veterans Day and 50th anniversary of withdrawal of U.S. troops from Vietnam. by *Johnson, *Hensley, *Lowe, *Yager.

***Senate Joint Resolution No. 349** -- Memorials, Recognition - Dr. C. William "Bill" McKee. by *Pody.

***Senate Joint Resolution No. 350** -- Memorials, Interns - Katelyn Davis. by *Stevens, *Reeves, *Roberts.

***Senate Joint Resolution No. 352** -- Memorials, Recognition - Heather Bay, Airport Manager of the Year. by *Pody.

***Senate Joint Resolution No. 353** -- Memorials, Retirement - Diane Jordan. by *Walley.

***Senate Joint Resolution No. 354** -- Memorials, Retirement - Russell Clayton. by *Walley.

***Senate Joint Resolution No. 356** -- Memorials, Recognition - Tennessee marching bands. by *Pody, *Lowe.

VERSION

***Senate Joint Resolution No. 357** -- Memorials, Retirement - Catherine "Katy" Varney.
by *Yarbro, *Kyle.

***Senate Joint Resolution No. 532** -- Memorials, Recognition - State Capitol Troopers and Sergeants at Arms. by *Lowe, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lundberg, *Massey, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro, *McNally.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

Representatives present and not voting were: Eldridge--1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Rep. Eldridge.

REGULAR CALENDAR

SPECIAL ORDER

1217

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

VERSION

Without objection, Rep. Lamberth moved the House to take Item No. 14, House Bill No. 322, out of order at this time as follows:

House Bill No. 322 -- Education - As introduced, requires the threat assessment team of each LEA to coordinate with state agencies providing services and technical assistance to local teams. - Amends TCA Section 10-7-504; Title 49, Chapter 6 and Title 62, Chapter 35. by *Lamberth, *Cochran, *White, *Gant, *Gillespie, *Slater, *Ragan, *Butler, *Haston, *Bulso, *Terry, *Leatherwood, *Davis, *Russell, *Bricken, *Alexander, *Moon, *Boyd, *Burkhart, *Holsclaw, *Sherrell, *Crawford, *Sexton , *Travis, *Zachary, *Grills, *Martin B, *Darby, *Vaughan, *Powell, *Faison, *Hicks G, *Wright, *Hurt, *Hardaway, *Hale, *McCalmon, *Barrett, *Martin G, *Beck, *Cepicky, *Capley, *Helton-Haynes, *Whitson, *Hawk, *Littleton, *Marsh, *Powers, *Parkinson, *Reedy, *Moody, *Williams, *Warner, *Carringer, *Carr, *Eldridge, *Sparks, *Hicks T, *Vital, *Jernigan, *Lafferty, *Rudder, *Kumar. (*SB274 by *Johnson, *Lundberg)

Rep. White moved that House Bill No. 322 be passed on third and final consideration.

Rep. Slater requested that Education Administration Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Lamberth moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 322 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-802(a), is amended by deleting the word "education" and substituting instead the word "safety".

SECTION 2. Tennessee Code Annotated, Section 49-6-802(b)(1), is amended by deleting the word "safety" and substituting instead the word "education".

SECTION 3. Tennessee Code Annotated, Section 49-6-802(b), is amended by adding the following subdivisions:

() A representative of the Tennessee Sheriffs' Association;

() A representative of the Tennessee Association of Chiefs of Police;

SECTION 4. Tennessee Code Annotated, Section 49-6-803, is amended by deleting the language "the director of the Tennessee school safety center established in § 49-6-4302" and substituting instead the language "the commissioner of safety".

SECTION 5. Tennessee Code Annotated, Section 49-6-804, is amended by deleting the section and substituting:

VERSION

49-6-804. Safety plans and security systems.

(a) Each LEA, and to the extent applicable, each public charter school, shall adopt a comprehensive district-wide school safety plan and building-level school safety plans regarding crisis intervention, emergency response, and emergency management. The plans must be developed by a district-wide school safety team and a building-level school safety team established pursuant to this part and must follow the template developed by the state-level safety team. An LEA or public charter school having only one (1) school building shall develop a single building-level school safety plan, which must also fulfill all requirements for the development of a district-wide plan. Each LEA and public charter school shall review each of the plans it adopts pursuant to this subsection (a) annually.

(b) Each private school and each church-related school shall adopt a building-level school safety plan regarding crisis intervention, emergency response, and emergency management. Each private school and each church-related school shall review its plan(s) annually. By July 1, 2023, and by each July 1 thereafter, each private school and each church-related school shall provide the school's building-level school safety plan to each local law enforcement agency with jurisdiction, as well as any law enforcement agency or other emergency response organization participating in an armed intruder drill under § 49-6-807. As used in this subsection (b):

(1) "Church-related school" means a school as defined in § 49-50-801; and

(2) "Private school" means a school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education.

(c) A meeting concerning school security, the district-wide school safety plans, or the building-level school safety plans shall not be subject to the open meetings laws compiled in title 8, chapter 44. Though closed to the general public, reasonable notice must be provided to the general public prior to such a meeting held by an LEA or a public charter school. The local board of education or public charter school governing body shall not discuss or deliberate on any issues or subjects other than school security or the school safety plans adopted pursuant to this section during such a meeting.

(d) By July 1, 2023, and by each July 1 thereafter, each LEA and public charter school shall provide the following to each local law enforcement agency with jurisdiction, the department of education, and the department of safety:

VERSION

(1) The LEA's, and to the extent applicable, the public charter school's, district-wide school safety plan;

(2) The building-level school safety plan for each school in the LEA or each public charter school; and

(3) The floor plans for all school buildings within the LEA or used by the public charter school.

(e) Each LEA and public charter school shall also provide the school safety plans described in subsection (d) to a law enforcement agency or other emergency response organization participating in an armed intruder drill under § 49-6-807.

(f) Upon the request of a local law enforcement agency with jurisdiction, the department of education, or the department of safety, the LEA or public charter school shall provide any other plans, information, or records regarding school security.

(g)

(1) During a drill or in an emergency situation, each LEA or public charter school shall, to the greatest extent practicable, provide a responding law enforcement agency with access to security systems that may be required for the law enforcement agency's response.

(2) For purposes of this subsection (g), "security systems" includes, but is not limited to, audio recording systems, visual recording systems, and any other cameras, alarm systems, fire systems, communication systems, or other security measures in a school building.

(h) This section does not diminish the jurisdiction of local law enforcement agencies.

SECTION 6. Tennessee Code Annotated, Section 49-6-805, is amended by adding the following as a new subdivision:

(10) Policies and procedures to ensure that all individuals providing direct services to students or school staff in response to a school crisis have received the appropriate background checks in compliance with state law, including § 49-5-413.

SECTION 7. Tennessee Code Annotated, Section 49-6-807, is amended by deleting the section and substituting instead the following:

49-6-807. Annual drills.

VERSION

(a) Each school safety team, private school, and church-related school shall annually conduct at least one (1):

- (1) Armed intruder drill;
- (2) Incident command drill; and
- (3) Emergency safety bus drill.

(b)

(1) Each armed intruder drill must be conducted in coordination with the appropriate local law enforcement agency.

(2) Each incident command drill must:

(A) Be conducted without students present; and

(B) Prepare school staff and law enforcement agencies on what to expect in the event of an emergency situation in the school.

(3) Each emergency safety bus drill must:

(A) Be conducted without students present; and

(B) Prepare school staff and law enforcement agencies on what to expect in the event of an emergency situation on a school bus.

(c) The results of a drill conducted pursuant to subsection (a) must be:

(1) Maintained by the school for a minimum of five (5) years; and

(2) Made available to a local law enforcement agency with jurisdiction, the department of education, or the department of safety upon request.

(d) The drills required in subsection (a) are in addition to the drills required in § 68-102-137.

(e) As used in this section:

(1) "Church-related school" means a school as defined in § 49-50-801; and

VERSION

(2) "Private school" means a school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education.

SECTION 8. Tennessee Code Annotated, Section 49-6-808(b), is amended by adding the language "and each building-level school safety plan" after the language "its district-wide comprehensive safety plan".

SECTION 9. Tennessee Code Annotated, Section 49-6-808(c), is amended by adding the language "and school building floor plans provided pursuant to this section and § 49-6-804" after the language "Building-level emergency response plans".

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following as a new section:

49-6-817. School building entrances required to be locked.

(a) Each public school operated by an LEA, public charter school, private school, and church-related school shall ensure that all exterior doors leading into a school building are locked at all times and access to school buildings is limited to the school's primary entrance, unless otherwise determined by school policy, to prevent unauthorized entry into the school building while students are present during the school day as well as when students are present outside of regular school hours for school-related purposes or activities.

(b) Notwithstanding subsection (a), outside of regular school hours, a public school operated by an LEA, public charter school, private school, or church-related school may unlock the door to the school building's primary entrance during a school-related event or activity if the door is continuously monitored by a school or LEA employee who is physically present at the door to ensure access is limited to only authorized persons and to alert others if an unauthorized person enters, or attempts to enter, the school building.

(c) State and local law enforcement personnel are authorized to inspect a door serving as an entrance to, or exit from, an LEA or public charter school building to determine whether the door is locked as required by subsection (a). There is no limit on the number of inspections law enforcement personnel may conduct under this subsection (c). Except as provided in subsection (b), if law enforcement personnel find that the door to an entrance or exit from a school building is unlocked in violation of subsection (a), then the school must immediately lock the door and the law enforcement agency that found the unlocked door shall, within twenty-four (24) hours, send written notification to:

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(1) The LEA's director of schools or the leader of the public charter school, as applicable;

(2) The chair of the local board of education or public charter school governing body, as applicable;

(3) The head of the parent-teacher organization for the LEA or public charter school, if there is such an organization for the public charter school;

(4) The school principal;

(5) The department of safety;

(6) The department of education; and

(7) Each local law enforcement agency with jurisdiction.

(d) The LEA's director of schools, the leader of the public charter school, or their respective designees, shall, within forty-eight (48) hours of receiving notification from the law enforcement agency under subsection (c), send written confirmation to the notifying law enforcement agency that the door was immediately locked as required by subsection (a) and that processes are in place to ensure that the door remains locked as required by subsection (a), except as authorized in subsection (b). The director, leader, or their respective designee shall send a copy of the director's, leader's, or their respective designee's written confirmation to the recipients identified in subdivisions (c)(2)-(7). The director's, leader's, or their respective designee's written confirmation must state whether the LEA or public charter school has a full-time school resource officer whose primary location is the school found to be in violation of subsection (a).

(e)

(1) If an LEA or public charter school is found to have violated subsection (a) on two (2) or more occasions in one (1) school year, then:

(A)

(i) If the LEA or public charter school does not currently have a school resource officer whose primary location is the school found to have violated subsection (a) on two (2) or more occasions in one (1) school year, the LEA or public charter school shall cause a full-time school resource officer or armed school security officer to be posted at the school. The LEA or public charter school shall bear the cost of posting the school resource officer or armed school security officer. The school resource officer

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or armed school security officer must be posted at the school within thirty (30) days from the date on which the LEA or public charter school received notification under subsection (d) of the school's second violation of subsection (a). The LEA or public charter school shall notify the commissioner of education that the required school resource officer or armed school security officer is posted. If the LEA or public charter school fails to have a school resource officer or armed school security officer posted within thirty (30) days as required in this subdivision (e)(1)(A), then the LEA or public charter school must submit a letter to the commissioner of education every thirty (30) days that an officer is not posted explaining why the LEA or public charter school, as applicable, has not had an officer posted; and

(ii) If the department of education receives notice of a subsequent violation of subsection (a) by the school in one (1) school year, the commissioner shall withhold state funds from the LEA or public charter school, in either the current or upcoming school year, in the following amounts:

(a) For a third violation of subsection (a) committed by a school in one (1) school year, two percent (2%) of the annual state funds generated by the school in the TISA;

(b) For a fourth violation of subsection (a) committed by a school in one (1) school year, four percent (4%) of the annual state funds generated by the school in the TISA;

(c) For a fifth violation of subsection (a) committed by a school in one (1) school year, six percent (6%) of the annual state funds generated by the school in the TISA;

(d) For a sixth violation of subsection (a) committed by a school in one (1) school year, eight percent (8%) of the annual state funds generated by the school in the TISA; and

(e) For a seventh violation of subsection (a) committed by a school in one (1) school year, ten percent (10%) of the annual state funds generated by the school in the TISA; or

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(B) If the LEA or public charter school currently has a full-time school resource officer or armed school security officer whose primary location is the school found to have violated subsection (a) on two (2) or more occasions, the commissioner shall withhold state funds from the LEA or public charter school, in either the current or upcoming school year, in the following amounts:

(i) For the second violation of subsection (a) committed by the school in one (1) school year, two percent (2%) of the annual state funds generated by the school in the TISA;

(ii) For a third violation of subsection (a) committed by the school in one (1) school year, four percent (4%) of the annual state funds generated by the school in the TISA;

(iii) For a fourth violation of subsection (a) committed by the school in one (1) school year, six percent (6%) of the annual state funds generated by the school in the TISA;

(iv) For a fifth violation of subsection (a) committed by the school in one (1) school year, eight percent (8%) of the annual state funds generated by the school in the TISA; and

(v) For a sixth violation of subsection (a) committed by the school in one (1) school year, ten percent (10%) of the annual state funds generated by the school in the TISA.

(2) If funds are withheld pursuant to subdivision (e)(1)(A) or (B), then the funds must be withheld until:

(A) The LEA or public charter school has the required school resource officer or armed school security officer posted at the school; and

(B) The LEA or public charter school submits to the department of education, and receives the department's approval of, a corrective action plan. The corrective action plan must include:

(i) A statement or other evidence demonstrating that the violation of subsection (a) has been remedied;

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(ii) Actions to be taken by the LEA or public charter school to resolve the behavior or issue that contributed to, or caused, the violation, including any new written procedures or training;

(iii) Deadlines for the LEA or public charter school to successfully complete the actions identified in the corrective action plan pursuant to subdivision (e)(2)(B)(ii); and

(iv) Dates for the LEA or public charter school to submit reports and documentation to the department to verify the LEA's or public charter school's implementation of the actions identified in the corrective action plan pursuant to subdivision (e)(2)(B)(ii).

(3) The percentage of any funds withheld pursuant to subdivision (e)(1)(A) or (B) must be calculated by the department of education based on the amount of state funds generated by the school in the TISA for the previous school year. If a public charter school did not generate state funds in the previous school year, then the percentage of any funds withheld pursuant to subdivision (e)(1)(A) or (B) must be based on the average amount of state funds generated by the schools in the LEA in which the public charter school is located.

(f) As used in this section:

(1) "Armed school security officer" means an off-duty law enforcement officer providing school security services pursuant to § 49-6-809;

(2) "Church-related school" means a school as defined in § 49-50-801; and

(3) "Private school" means a school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education.

SECTION 11. Tennessee Code Annotated, Section 49-6-810, is amended by deleting the language "shall report" and substituting instead the language "and the commissioner of safety shall jointly report".

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SECTION 12. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following as a new section:

49-6-818. School buildings constructed or remodeled after July 1, 2023.

(a) A public school building, including a public charter school building, constructed or remodeled after July 1, 2023, must:

(1) Include a door-locking mechanism on each classroom door that allows the classroom door to be locked from the inside; and

(2) At least one (1) secure vestibule that serves as the primary entrance to the school building and that contains two (2) separate sets of doors that are each capable of being locked separately to prevent a person from entering the school building until an LEA or school employee authorizes a person to enter.

(b) The date on which a public school building, including a public charter school building, is constructed for purposes of this section is the date on which the plans for the school building were approved by the agency having jurisdiction to approve construction of the school building or the date on which the construction permit was issued for the school building, whichever occurs first.

(c) If a public school building, including a public charter school building, is remodeled, then the requirements specified in subsection (a) only apply to the portions of the building that are remodeled.

(d) As used in this section, "remodeled":

(1) Means a change to an existing building or facility, including, but not limited to, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement in structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions; and

(2) Does not include routine maintenance, reroofing, painting or wallpapering, asbestos removal, or changes to mechanical or electrical systems so long as the changes do not affect the usability of the building or facility.

SECTION 13. Tennessee Code Annotated, Section 49-6-2701(a), is amended by deleting the language "may adopt" and substituting instead the language "shall adopt".

SECTION 14. Tennessee Code Annotated, Section 49-6-2701(c), is amended by adding the following as a new subdivision:

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(10) Coordinate with state agencies providing support services and technical assistance to local threat assessment teams.

SECTION 15. Tennessee Code Annotated, Section 49-6-2701(e), is amended by deleting the language "the local board of education and the director of schools" and substituting instead the language "the local board of education, the director of schools, the department of safety, the Tennessee school safety center, and the members of the state-level safety team established pursuant to § 49-6-802(a)".

SECTION 16. Tennessee Code Annotated, Section 49-6-4302(a), is amended by adding the language ", in collaboration with the department of safety," after the language "The department of education".

SECTION 17. Tennessee Code Annotated, Section 49-6-4302, is amended by deleting subsection (f) and substituting:

(f) The department of safety, in collaboration with the department of education, shall develop a school security assessment for use in Tennessee public schools. The departments shall provide training to local law enforcement agencies and school administrators on the use of the school security assessment to identify school security vulnerabilities. Each LEA and public charter school shall submit to the department of safety an annual school security self-assessment for each school that uses the school security assessment pursuant to this subsection (f). The department of safety may conduct periodic reviews of public schools, as it deems necessary, to verify the effective implementation and use of school security assessments to enhance school security.

SECTION 18. Tennessee Code Annotated, Section 10-7-504(p), is amended by designating the existing language as subdivision (1) and adding the following as a new subdivision (2):

(2)

(A) All school security reports, memoranda, plans, notes, threats, and procedures, including drafts that are incorporated in reports created or received by the department of safety, must be treated as confidential and shall not be open for inspection by members of the public.

(B) This subdivision (p)(2) shall not be construed to limit access to those records by law enforcement agencies, courts, or other governmental agencies performing official functions.

SECTION 19. Tennessee Code Annotated, Section 62-35-102, is amended by adding the following as a new, appropriately designated subdivision:

() "Church-related school" means a school as defined in § 49-50-801;

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() "Private school" means a school accredited by, or a member of, an organization or association approved by the state board of education as an organization accrediting or setting academic requirements in schools, or that has been approved by the state, or is in the future approved by the commissioner in accordance with rules promulgated by the state board of education;

() "Public charter school" means a public school in this state that is established and operating under the terms of a charter agreement and in accordance with title 49, chapter 13; and

() "Public school" means an elementary or secondary school operated by a local education agency, as defined in § 49-1-103, or by the state with public funds;

SECTION 20. Tennessee Code Annotated, Section 62-35-103(a), is amended by deleting subdivision (1) and substituting instead the following:

(1) A government officer or employee performing official duties; provided, that this exemption shall not apply to a security guard or security officer who is providing security or patrol services at or in a public school;

SECTION 21. Tennessee Code Annotated, Section 62-35-118(a), is amended by deleting subdivision (1) and substituting instead the following:

(1)

(A) Within fifteen (15) days of employment:

(i) An unarmed security guard or security officer applicant must complete general training and pass an examination; and

(ii) An armed security guard or security officer applicant must complete general training, pass an examination, and complete the training in subsection (b) within sixty (60) days of employment.

(B) Notwithstanding subdivision (a)(1)(A):

(i) An individual shall not be posted as an unarmed security guard at or in a public school, public charter school, private school, or church-related school, or act as an unarmed security guard at or in a public school, public charter school, private school, or church-related school unless the individual has completed the requirements of subdivision (a)(2)(A) before being posted; and

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(ii) An individual shall not be posted as an armed security guard at or in a public school, public charter school, private school, or church-related school, or act as an armed security guard at or in a public school, public charter school, private school, or church-related school, unless the individual has completed the requirements of subdivision (a)(2)(A) and subsections (b) and (e) before being posted.

SECTION 22. Tennessee Code Annotated, Section 62-35-118, is amended by adding the following as a new subsection:

(e) Before providing security or patrol services at or in a public school, public charter school, private school, or church-related school, an armed security guard or security officer applicant must complete an active-shooter training. The training required under this subsection (e) must be no less than eight (8) hours in duration and must be completed by each armed security guard or officer providing security or patrol services at or in a public school, public charter school, private school, or church-related school, regardless of whether the armed security guard or officer is employed by a public school public charter school, private school, church-related school, or a contract security company.

SECTION 23. Tennessee Code Annotated, Section 62-35-122, is amended by adding the following as a new subsection:

(g) An armed security guard or officer providing security or patrol services at or in a public school, public charter school, private school, or church-related school must complete an active shooter refresher training approved by the commissioner before the individual's registration card may be renewed.

SECTION 24. Tennessee Code Annotated, Section 62-35-134, is amended by adding the following as a new subsection:

(d) It is unlawful for any person, contract security company, or proprietary security organization to post a security guard or officer at or in a public school if the security guard or officer is not properly registered, working on a pending application, or otherwise appropriately trained as required in § 62-35-118.

SECTION 25. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 26. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect on July 1, 2023, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted by the following vote:

1230

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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Ayes 95
Noes..... 0
Present and not voting..... 3

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

Representatives present and not voting were: Johnson G, Jones, Pearson--3

Rep. Powell moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 322 by adding the following language after the second sentence in the amendatory language of subsection (a) in Section 5:

Each district-wide school safety team and building-level school safety team shall consider including in the district-wide school safety plan or building-level school safety plan the implementation of a mobile panic alert system that is capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responder agencies and that integrates with local public safety answering point infrastructure to transmit 911 calls and mobile activations.

On motion, House Amendment No. 3 was adopted by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder,

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Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--98

PRESENT IN CHAMBER

Rep. Towns was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

Rep. Slater moved that Education Administration Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Travis moved the previous question, which motion prevailed by the following vote:

Ayes 75
Noes..... 23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--75

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Thompson, Towns--23

Rep. White moved that **House Bill No. 322**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 4

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens,

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Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

Representatives voting no were: Harris, Johnson G, Jones, Pearson--4

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, Rep. Lamberth moved the House to take Item No. 29, House Bill No. 1051, out of order at this time as follows:

House Bill No. 1051 -- Mental Illness - As introduced, authorizes certain licensed advanced practice nurses and physician assistants to execute a certificate of need if a person is admitted and detained by a hospital or treatment resource for emergency diagnosis, evaluation, and treatment; makes other revisions to the execution of certificates of need. - Amends TCA Title 33, Chapter 6, Part 4. by *Vaughan, *Williams, *Alexander, *Wright, *Hardaway, *Cepicky, *Littleton, *Carr, *Helton-Haynes, *Hawk, *Ragan, *Hale, *Lafferty, *Bulso, *Vital, *Slater, *Hicks T, *Moody, *Martin B, *Whitson, *Zachary, *Reedy, *Rudder, *McCalmon, *Howell, *Hurt. (*SB672 by *Reeves, *Jackson, *White)

Further consideration of House Bill No. 1051, previously considered on March 27, 2023 and March 30, 2023 at which time it was rest for today's Regular Calendar.

On motion, House Bill No. 1051 was made to conform with **Senate Bill No. 672**; the Senate Bill was substituted for the House Bill.

Rep. Vaughan moved that Senate Bill No. 672 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Travis moved the previous question, which motion prevailed.

Rep. Vaughan moved that **Senate Bill No. 672** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood,

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Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--94

Representatives present and not voting were: Johnson G, Jones, Pearson--3

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, Rep. Lamberth moved the House to take Item No. 24, House Bill No. 1016, out of order at this time as follows:

***House Bill No. 1016** -- Education, Dept. of - As introduced, changes the date, from February 1 to January 15, by which the commissioner must annually report to the governor and the general assembly on the implementation of and compliance with the Schools Against Violence in Education Act. - Amends TCA Title 37; Title 39 and Title 49. by *Grills, *Lamberth, *Sherrell, *Doggett, *Howell, *Zachary, *Cochran, *Ragan, *Littleton, *Terry, *Slater, *Moody, *Whitson, *Boyd, *Hurt, *Warner, *Barrett, *Helton-Haynes, *Reedy, *Powers, *Cepicky. (SB1501 by *Stevens)

Rep. Grills moved that House Bill No. 1016 be passed on third and final consideration.

Rep. Hulse moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1016 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-13-114, is amended by deleting the section and substituting:

(a) For purposes of this section:

(1) "School" means:

(A) An elementary school, middle school, or high school;

(B) A college of applied technology or postsecondary vocational or technical school; or

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(C) A two-year or four-year college or university; and

(2) "School property" means any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any local education agency, private school board of trustees, or directors for the administration of any school.

(b) A person commits the offense of communicating a threat concerning a school employee or student if:

(1) The person communicates to another a threat to cause the death of or serious bodily injury:

(A) To a school employee and the threat is directly related to the employee's scope of employment; or

(B) To a student on school property or at a school-related activity;

(2) The threat involves the use of a firearm or other deadly weapon;

(3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat; and

(4) The person making the threat intentionally engages in conduct that constitutes a substantial step in the commission of the threatened act and the threatened act and the substantial step when taken together:

(A) Are corroborative of the person's intent to commit the threatened act; and

(B) Occur close enough in time to evidence an intent and ability to commit the threatened act.

(c) Communicating a death threat concerning a school employee or student is a Class B misdemeanor punishable by a maximum term of imprisonment of thirty (30) days.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Grills moved that **House Bill No. 1016**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95

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Noes..... 0
Present and not voting..... 3

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

Representatives present and not voting were: Johnson G, Jones, Pearson--3

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 120** -- General Assembly, Statement of Intent or Position - Honors the memories of Zackery Grooms and Chance Black and requests TWRA to erect a marker in remembrance of the young men. by *Darby, *Shaw.

Rep. Darby moved that **House Joint Resolution No. 120** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 859** -- Health, Dept. of - As introduced, requires the commissioner, in collaboration with the commissioner of mental health and substance abuse services, to conduct a study of presently available, real-time overdose information databases and mapping tools in use in other jurisdictions to determine whether the statewide use of such system in this state is likely to decrease the occurrence of overdose-related deaths, identify obstacles and challenges to implementing such system statewide, and estimate the costs of and a timeline for implementation, and to deliver a report of findings and recommendations to the general assembly by December 31, 2023. - Amends TCA Title 4; Title 33 and Title 68. by *Jernigan, *Towns, *Powell, *Whitson, *Littleton, *Terry, *Miller, *Haston, *Cepicky, *Love, *Beck. (SB799 by *Yarbro, *Campbell)

On motion, House Bill No. 859 was made to conform with **Senate Bill No. 799**; the Senate Bill was substituted for the House Bill.

Rep. Jernigan moved that Senate Bill No. 799 be passed on third and final consideration.

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Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jernigan moved that **Senate Bill No. 799** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 253** -- Criminal Offenses - As introduced, establishes the Class A misdemeanor of parentage fraud when a person fraudulently claims that the victim is the biological parent of a child or fraudulently seeks to be legally established as a child's parent based on the person's status as a biological parent of the child. - Amends TCA Title 36 and Title 39. by *Parkinson, *Terry, *Howell, *Helton-Haynes, *Ragan. (SB331 by *Lundberg)

On motion, House Bill No. 253 was made to conform with **Senate Bill No. 331**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 331 be passed on third and final consideration.

Rep. Shaw moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 331** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	15
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Doggett, Eldridge, Faison, Farmer, Fritts, Garrett, Gillespie, Glynn, Grills, Hale, Haston, Hawk,

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Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Moon, Parkinson, Powers, Ragan, Raper, Rudd, Rudder, Russell, Shaw, Sparks, Stevens, Terry, Thompson, Todd, Towns, Vaughan, Warner, White, Whitson, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Davis, Gant, Hardaway, Hazlewood, Johnson G, Jones, Littleton, Moody, Reedy, Richey, Sherrell, Slater, Travis, Vital, Williams--15

Representatives present and not voting were: Hakeem, Miller--2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 331** and have this statement entered in the Journal: Rep. Kumar.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1081** -- Tennessee Bureau of Investigation - As introduced, reduces from 60 days to 30 days of the judgment, the time within which a court clerk must forward a copy of the judgment and date of birth of a person convicted of an animal abuse offense to the bureau for purposes of the bureau's publicly available list of persons with such convictions. - Amends TCA Title 38; Title 39 and Title 40. by *Parkinson, *Towns, *Harris, *Camper, *Chism, *Miller, *Love. (SB963 by *Lamar, *Campbell)

Rep. Parkinson requested that House Bill No. 1081 be moved down one place on today's Regular Calendar, which motion prevailed.

***House Bill No. 1291** -- Professions and Occupations - As introduced, enables a person with certain experience as a cosmetologist or barber who fails to renew their license before the expiration date to apply to the board of cosmetology for renewal; the board may renew the license if the application for renewal is made within two months of the expiration date and is accompanied by the prescribed fee as set by the board. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Parkinson. (SB1247 by *Akbari, *Lamar)

On motion, House Bill No. 1291 was made to conform with **Senate Bill No. 1247**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 1247 be passed on third and final consideration.

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Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Towns moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 1247** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 8

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Kumar, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Pearson, Powell, Ragan, Raper, Rudd, Rudder, Russell, Shaw, Slater, Sparks, Stevens, Thompson, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--85

Representatives voting no were: Crawford, Keisling, Martin G, Moody, Reedy, Richey, Sherrell, Todd--8

A motion to reconsider was tabled.

***House Bill No. 1081** -- Tennessee Bureau of Investigation - As introduced, reduces from 60 days to 30 days of the judgment, the time within which a court clerk must forward a copy of the judgment and date of birth of a person convicted of an animal abuse offense to the bureau for purposes of the bureau's publicly available list of persons with such convictions. - Amends TCA Title 38; Title 39 and Title 40. by *Parkinson, *Towns, *Harris, *Camper, *Chism, *Miller, *Love. (SB963 by *Lamar, *Campbell)

Further consideration of House Bill No. 1081, previously considered on today's Regular Calendar.

Rep. Parkinson moved that House Bill No. 1081 be passed on third and final consideration.

Rep. Hulsey moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1081 by deleting all language after the enacting clause and substituting:

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SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new subdivision:

() The defendant committed an offense under title 39, chapter 13, part 1, 2, 3, 4, or 5 while engaged in the performance of official duties as a law enforcement officer.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Parkinson moved that **House Bill No. 1081**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--94

Representatives voting no were: Hulse--1

Representatives present and not voting were: Barrett--1

A motion to reconsider was tabled.

***House Bill No. 1000** -- Expunction - As introduced, requires the form for use by a lay person petitioning the court for expunction to be made available to the public on the website of the administrative office of the courts. - Amends TCA Title 2; Title 39 and Title 40. by *Rudd, *Towns, *Faison, *Bricken, *Powell, *Littleton, *McCalmon, *Miller, *Jernigan. (SB1068 by *Hensley)

Rep. Rudd moved that House Bill No. 1000 be passed on third and final consideration.

Rep. Hulse moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

1240

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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AMEND House Bill No. 1000 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following as a new subsection:

(l)

(1) Notwithstanding subsections (g) and (k), effective July 1, 2023, for purposes of this subsection (l), an "eligible petitioner" means a person who was convicted of a violation of § 2-19-107 – illegal registration or voting, if:

(A) At the time of the filing of the petition for expunction, at least fifteen (15) years have elapsed since the completion of the sentence imposed for the offense the person is seeking to have expunged;

(B) The person has fulfilled all requirements of the sentence imposed by the court for the offense the petitioner is seeking to expunge, including:

(i) Payment of all fines, restitution, court costs, and other assessments for the offense;

(ii) Completion of any term of imprisonment or probation for the offense; and

(iii) Meeting all conditions of supervised or unsupervised release for the offense;

(C) The person has not been convicted of a criminal offense that is ineligible for expunction, including federal offenses and offenses in other states, that occurred prior to the offense for which the person is seeking expunction; provided, that a moving or nonmoving traffic offense is not considered an offense as used in this subdivision (l)(1)(C); and

(D) The person has not previously been granted expunction under subsection (g) or subsection (k) for another criminal offense.

(2) A person may petition for expunction of an offense under this subsection (l) only one (1) time.

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(3) Subdivisions (g)(3)-(6), (8), (12), and (13) apply to a petition filed under this subsection (l).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Rudd moved that **House Bill No. 1000**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

Representatives voting no were: Barrett--1

A motion to reconsider was tabled.

House Bill No. 318 -- Children - As introduced, requires that a list of services available from other state programs and agencies be included in all plans established by agencies for a child in foster care. - Amends TCA Title 36, Chapter 1, Part 1 and Title 37, Chapter 2, Part 4. by *Lamberth, *Cochran, *Rudder, *Russell, *Bricken, *Alexander, *Gant, *Helton-Haynes, *Littleton, *Moody, *Ragan, *Lynn, *Hazlewood, *Doggett. (*SB270 by *Johnson, *Haile, *White)

On motion, House Bill No. 318 was made to conform with **Senate Bill No. 270**; the Senate Bill was substituted for the House Bill.

Rep. Rudder moved that Senate Bill No. 270 be passed on third and final consideration.

Rep. Farmer requested that Civil Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Hazlewood moved that Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Rudder moved that **Senate Bill No. 270** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Pearson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 445** -- Highways, Roads and Bridges - As introduced, removes the condition that the department of transportation first authorize the installation of surveillance cameras on interstates and state highways before such cameras may be operated by law enforcement agencies; authorizes the operation of surveillance cameras by law enforcement agencies on such highways under certain circumstances. - Amends TCA Title 10, Chapter 7, Part 5; Title 38 and Title 55. by *Whitson, *Carr, *Davis, *Howell, *Marsh, *Russell, *Vaughan, *White, *Hazlewood, *Moon, *Hardaway, *McCalmon, *Jernigan, *Leatherwood, *Helton-Haynes, *Slater, *Powell. (SB439 by *Jackson, *Massey, *Walley)

On motion, House Bill No. 445 was made to conform with **Senate Bill No. 439**; the Senate Bill was substituted for the House Bill.

Rep. Whitson moved that Senate Bill No. 439 be passed on third and final consideration.

Rep. Howell moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Whitson moved that **Senate Bill No. 439** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 71
Noes..... 20

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Present and not voting..... 5

Representatives voting aye were: Alexander, Baum, Beck, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Carr, Chism, Clemmons, Darby, Davis, Dixie, Farmer, Freeman, Gant, Gillespie, Glynn, Hakeem, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Raper, Reedy, Rudd, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Williams, Wright, Mr. Speaker Sexton--71

Representatives voting no were: Barrett, Boyd, Capley, Cepicky, Cochran, Crawford, Doggett, Eldridge, Fritts, Grills, Hale, Hulsey, Hurt, Jones, Lafferty, Littleton, Powers, Richey, Warner, Zachary--20

Representatives present and not voting were: Carringer, Haston, Ragan, Rudder, Terry--
5

A motion to reconsider was tabled.

***House Bill No. 667** -- Drugs, Prescription - As introduced, makes various changes to the prescription drug donation repository program operated by the department of health. - Amends TCA Title 56; Title 63 and Title 68. by *Hicks T, *Alexander, *Vital, *Whitson, *Littleton, *Helton-Haynes, *Powell, *Hazlewood, *Parkinson. (SB675 by *Reeves)

On motion, House Bill No. 667 was made to conform with **Senate Bill No. 675**; the Senate Bill was substituted for the House Bill.

Rep. T. Hicks moved that Senate Bill No. 675 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Terry moved that Health Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. T. Hicks moved that **Senate Bill No. 675** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96

Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk,

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Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 675** and have this statement entered in the Journal: Rep. Todd.

REGULAR CALENDAR, CONTINUED

House Bill No. 1482 -- Bonding, Surety and Professional - As introduced, increases the fee that may be charged annually for the eight hours of continuing education required of professional bail agents; makes various other changes regarding continuing education requirements relative to bail bondsmen and bonding agents. - Amends TCA Title 40, Chapter 11, Part 4. by *Hulsey, *Sherrell, *Russell, *Carringer, *Howell. (*SB1153 by *Niceley, *Yager)

Rep. Hulsey moved that House Bill No. 1482 be passed on third and final consideration.

Rep. Gillespie moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1482 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-11-404, is amended by deleting subsection (b) and substituting:

(b) The Tennessee Association of Professional Bail Agents shall either provide or contract for a minimum of eight (8) hours of in-person continuing education classes to be held on a regular basis in each of the grand divisions and may provide additional classes as necessary. The association may also provide or contract for one (1) or more virtual classes. The association is authorized to subcontract with any of its sub associations for classes. A schedule of these classes must be provided to all agents. The association shall not charge more than four hundred fifty dollars (\$450) annually for the eight (8)

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hours of continuing education, and the cost of any course with less than eight (8) hours must be prorated.

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 11, Part 4, is amended by adding the following as a new section:

(a) A person shall not attend a continuing education class under this part who has been convicted in any state of a crime equivalent to:

(1) A felony in this state; or

(2) Two (2) or more misdemeanors that are equivalent to Class A or Class B misdemeanors in this state if the misdemeanor convictions occurred within five (5) years of the date of the continuing education class.

(b)

(1) Not less than ninety (90) days before a scheduled continuing education class, an applicant seeking to attend a continuing education class pursuant to this part must submit to a criminal history background check as provided by § 38-6-109, with the results being reported as follows:

(A) An applicant who has been previously approved as a professional bondsman or an agent of a professional bondsman must have the results reported to the clerk of a court of record with criminal jurisdiction within a county in which the professional bondsman or the agent is approved to write appearance bonds;

(B) An applicant who will be seeking approval as a professional bondsman or as an agent of a professional bondsman must have the results reported to the clerk of a court of record with criminal jurisdiction within a county in which the prospective professional bondsman or agent will be seeking approval to write appearance bonds; and

(C) All other applicants must have the results reported to the clerk of a court of record with criminal jurisdiction within the county in which the applicant resides.

(2) The criminal history background check required by this section must include fingerprint checks against state and federal criminal records maintained by the Tennessee bureau of investigation and the federal bureau of investigation. The applicant is responsible for any fees associated with the criminal history background check.

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(c)

(1) Upon receipt of a criminal history background check, the clerk of the court of record with criminal jurisdiction shall review the background check to determine whether the applicant has a disqualifying criminal history. The clerk may consult with the office of the district attorney general for the judicial district in making the determination required by this subdivision (c)(1).

(2) If the clerk determines that an applicant has a disqualifying criminal history, then the clerk must inform the applicant and the Tennessee Association of Professional Bail Agents not less than sixty (60) days prior to the scheduled continuing education class that the applicant is ineligible to attend the continuing education class.

(3) If the clerk fails to come to a decision, then the applicant is presumed to have no disqualifying criminal history.

(d)

(1) If the applicant believes that the decision of the clerk is in error or that there are extenuating circumstances that would permit attendance notwithstanding the criminal history, then the applicant may appeal the clerk's decision within ten (10) days to the court of record with criminal jurisdiction within the county where the criminal history background check was received.

(2) All appeals must be in writing, setting forth the grounds for the appeal.

(3) The court hearing the appeal shall give written notice of its decision not less than fifteen (15) days before the scheduled continuing education class. If the court fails to provide written notice within the time period prescribed by this subdivision (d)(3), then the court must give written notice as to when the decision will occur, or if no such notice is given, then the clerk's decision is deemed final.

(e) An applicant has a right to appeal the court's decision to the court of criminal appeals within thirty (30) days.

(f) The clerk of the criminal court is authorized to charge a fee of not more than ten dollars (\$10.00) to receive and process the application and the criminal history background check.

(g) The Tennessee Association of Professional Bail Agents and its agents, contractors, and employees are not liable to any person for damages resulting from a determination made pursuant to this section.

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SECTION 3. Section 1 of this act takes effect upon becoming a law, the public welfare requiring it. Section 2 of this act takes effect January 1, 2025, the public welfare requiring it, and applies to the 2025 continuing education period.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Hulsey moved that **House Bill No. 1482**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Wright, Zachary, Mr. Speaker Sexton--90

Representatives present and not voting were: Sparks--1

A motion to reconsider was tabled.

***House Bill No. 1310** -- Consumer Protection - As introduced, enacts the "Genetic Information Privacy Act." - Amends TCA Title 47. by *Kumar, *Vital, *Ragan, *Moody. (SB1295 by *Bailey)

Rep. Kumar moved that House Bill No. 1310 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1310 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following as a new part:

1248

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47-18-4901.

This part is known as the "Genetic Information Privacy Act."

47-18-4902.

As used in this part:

(1) "Biological sample" means a human material known to contain DNA, including tissue, blood, urine, or saliva;

(2) "Consumer" means an individual who is a resident of the state;

(3) "Deidentified data" means data that:

(A)

(i) Cannot reasonably be linked to an identifiable individual; or

(ii) Meets the standard for deidentification under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (42 U.S.C. § 1320d et seq.) and rules promulgated pursuant to that act; and

(B) Is possessed by a company that:

(i) Takes administrative and technical measures to ensure that the data cannot be associated with a particular consumer;

(ii) Makes a public commitment to maintain and use data in deidentified form and not attempt to reidentify data; and

(iii) Enters into a legally enforceable contractual obligation that prohibits a recipient of the data from attempting to reidentify the data;

(4) "Direct-to-consumer genetic testing company" or "company":

(A) Means an entity that:

(i) Offers consumer genetic testing products or services directly to a consumer; or

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(ii) Collects, uses, or analyzes genetic data that resulted from a direct-to-consumer genetic testing product or service and was provided to the company by a consumer; and

(B) Does not include:

(i) A law enforcement agency; or

(ii) An entity that is, and only while, engaged in collecting, using, or analyzing genetic data or biological samples in the context of research, as defined in 45 CFR § 164.501, that is conducted in accordance with:

(a) The Federal Policy for the Protection of Human Subjects, as described in 45 CFR Part 46;

(b) The Good Clinical Practice Guideline issued by the International Council for Harmonization; or

(c) The United States Food and Drug Administration Policy for the Protection of Human Subjects under 21 CFR Parts 50 and 56;

(5) "DNA" means deoxyribonucleic acid;

(6) "Express consent" means a consumer's affirmative response to a clear, meaningful, and prominent notice regarding the collection, use, or disclosure of genetic data for a specific purpose;

(7) "First-party relationship" means the relationship between a company and a consumer from which the company has collected genetic data;

(8) "Genetic data" means data, excluding deidentified data, regardless of format, concerning a consumer's genetic characteristics, including:

(A) Raw sequence data that results from sequencing all or a portion of a consumer's extracted DNA;

(B) Genotypic and phenotypic information obtained from analyzing a consumer's raw sequence data; or

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(C) Self-reported health information regarding a consumer's health conditions that the consumer provides to a company and that the company:

(i) Uses for scientific research or product development; and

(ii) Analyzes in connection with the consumer's raw sequence data;

(9) "Genetic testing" means:

(A) A laboratory test of a consumer's complete DNA, regions of DNA, chromosomes, genes, or gene products to determine the presence of genetic characteristics of the consumer; or

(B) An interpretation of a consumer's genetic data; and

(10) "Person" means an individual, corporation, business, partnership, limited liability company, or other business entity.

47-18-4903.

This part does not apply to:

(1) Protected health information that is collected by a covered entity or business associate as those terms are defined in 45 CFR Parts 160 and 164;

(2) A public or private institution of higher education;

(3) An entity owned or operated by a public or private institution of higher education;

(4) Biomedical or academic research conducted by a research hospital, academic medical center, or other entity affiliated with such hospital or medical center that is not a direct-to-consumer genetic testing company;

(5) Genetic data that is shared with or by a research hospital, academic medical center, or other entity affiliated with such hospital or medical center that is not a direct-to-consumer genetic testing company for the purposes of biomedical or academic research or to find causes of or cures for a disease or medical condition; or

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(6) The sharing of genetic data that does not require consent pursuant to the Federal Policy for the Protection of Human Subjects, as described in 45 CFR Part 46.

47-18-4904.

(a) A direct-to-consumer genetic testing company shall:

(1) Provide to a consumer:

(A) Essential information about the company's collection, use, and disclosure of genetic data; and

(B) A prominent, publicly available privacy notice that includes information about the company's data collection, consent, use, access, disclosure, transfer, security, retention, and deletion practices;

(2) Obtain a consumer's initial express consent for collection, use, or disclosure of the consumer's genetic data that:

(A) Clearly describes the company's use of the genetic data that the company collects through the company's genetic testing product or service;

(B) Specifies who has access to test results; and

(C) Specifies how the company may share the genetic data;

(3) If the company engages in the following conduct, obtain a consumer's:

(A) Separate express consent for:

(i) The transfer or disclosure of the consumer's genetic data to a person other than the company's vendors and service providers;

(ii) The use of genetic data beyond the primary purpose of the company's genetic testing product or service; or

(iii) The company's retention of a biological sample provided by the consumer following the company's completion of the initial testing service requested by the consumer;

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(B) Informed consent in accordance with the Federal Policy for the Protection of Human Subjects, as described in 45 CFR Part 46, for transfer or disclosure of the consumer's genetic data to a third party for:

(i) Research purposes; or

(ii) Research conducted under the control of the company for the purpose of publication or generalizable knowledge; and

(C) Express consent for:

(i) Marketing to a consumer based on the consumer's genetic data; or

(ii) Marketing by a third-party person to a consumer based on the consumer having ordered or purchased a genetic testing product or service;

(4) Require valid legal process for the company's disclosure of a consumer's genetic data to law enforcement or a government entity without the consumer's express written consent;

(5) Develop, implement, and maintain a comprehensive security program to protect a consumer's genetic data against unauthorized access, use, or disclosure; and

(6) Provide a process for a consumer to:

(A) Access the consumer's genetic data;

(B) Delete the consumer's account and genetic data; and

(C) Destroy the consumer's biological sample.

(b) Notwithstanding subdivision (a)(3)(C), a direct-to-consumer genetic testing company with a first-party relationship to a consumer may, without obtaining the consumer's express consent, provide customized content or offers on the company's website or through the company's application or service.

47-18-4905.

A direct-to-consumer genetic testing company shall not disclose a consumer's genetic data without first obtaining the consumer's written consent to:

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(1) An entity that offers health insurance, life insurance, or long-term care insurance; or

(2) An employer of the consumer.

47-18-4906.

The division of consumer affairs in the office of the attorney general and reporter shall enforce this part. The division shall:

(1) Establish a means by which a consumer can submit a complaint for a violation of this part; and

(2) Promulgate rules to effectuate this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to conduct occurring on or after that date.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Kumar moved that **House Bill No. 1310**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Glynn, Grills, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Wright, Zachary, Mr. Speaker Sexton--
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A motion to reconsider was tabled.

***House Bill No. 1312** -- Physicians and Surgeons - As introduced, specifies application requirements for an individual licensed as a physician outside the United States or Canada who has completed a residency program or otherwise practiced as a medical professional for at least three of the last five years; requires the board of medical examiners to grant a provisional license to an international medical graduate who qualifies; makes other related changes. -

VERSION

Amends TCA Title 63. by *Kumar, *Hardaway, *Ragan, *Helton-Haynes, *Sparks, *Howell, *Thompson. (SB1451 by *Roberts)

On motion, House Bill No. 1312 was made to conform with **Senate Bill No. 1451**; the Senate Bill was substituted for the House Bill.

Rep. Kumar moved that Senate Bill No. 1451 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kumar moved that **Senate Bill No. 1451** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	1

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

Representatives voting no were: Doggett--1

A motion to reconsider was tabled.

House Bill No. 1319 -- Flags - As introduced, requires the United States flag and the official state flag to be displayed continuously on property owned, operated, or controlled by this state or a political subdivision of this state, including educational institutions and public school buildings; restricts the display of flags other than the United States flag and the official state flag on said property to only those periods of time for which an entity represented by the flag is meeting or performing an authorized function on the property, with certain exceptions. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 15; Title 49 and Title 58. by *Kumar, *Cepicky, *Russell, *Bricken, *Sherrell, *McCalmon, *Whitson, *Sparks, *Moody, *White, *Powers. (*SB918 by *Rose)

Rep. Kumar moved that House Bill No. 1319 be passed on third and final consideration.

VERSION

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1319 by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Honor Our Flags Act."

SECTION 2. Tennessee Code Annotated, Section 4-1-406, is amended by adding the following as a new subsection:

(c)

(1) A flag other than the United States flag and the official state flag must not be flown continuously on a public building that is owned by this state or a political subdivision of this state, or on the campus of an educational institution. Flags representing a club, society, or organization may only be flown on a public building that is owned by this state or a political subdivision of this state, or on the campus of an educational institution, during the period of time for which the entity is meeting or performing an authorized function on the property.

(2) Subdivision (c)(1) does not:

(A) Apply to a flag protected by § 4-1-412;

(B) Prohibit the P.O.W.-M.I.A. flag from being flown pursuant to title 58, chapter 4, part 3;

(C) Prohibit a department or agency of this state from flying the P.O.W.-M.I.A. flag on March 29 of each year in observance of "Vietnam Veterans Day";

(D) Prohibit a political subdivision, a department, agency, or entity of this state, or a postsecondary institution of higher education, from flying one (1) or more official flags; or

(E) Prohibit a private or public organization or entity from flying or displaying its official flag if the private or public organization or entity is entitled to the exclusive use or control of a portion of the public building or campus.

(3) This section must not be construed or applied to impair or infringe upon a person's freedom of speech in violation of the Constitution

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of Tennessee, Article I, § 19, or the First Amendment of the United States Constitution.

(4) As used in this subsection (c):

(A) "Continuously" means without interruption during the normal operating hours of a public building or an educational institution to which this section applies; provided, that the public entity exercising control over such public building or campus may expand their normal operating hours for purposes of flying one (1) or more flags in accordance with this section; and

(B) "Political subdivision" has the same meaning as defined in subsection (b).

SECTION 3. Tennessee Code Annotated, Section 5-7-109, is amended by deleting subsection (a) and substituting instead the following:

(a) A county mayor of a county whose courthouse is equipped with a flag pole may request and be furnished with a flag of the state of Tennessee, which must be flown continuously by the county authority pursuant to § 4-1-406(c).

SECTION 4. Tennessee Code Annotated, Section 49-6-2005, is amended by deleting the section and substituting instead the following:

(a) A flag other than the United States flag and the official state flag must not be flown continuously on the campus of a public school. Flags representing a club, society, or organization may only be flown on the campus of a public school for the period of time during which the entity is meeting or performing an authorized function on school property.

(b) Subsection (a) does not:

(1) Apply to a flag protected by § 4-1-412;

(2) Prohibit the P.O.W.-M.I.A. flag from being flown pursuant to title 58, chapter 4, part 3;

(3) Prohibit a public school from flying the P.O.W.-M.I.A. flag on March 29 of each year in observance of "Vietnam Veterans Day";

(4) Prohibit a public school from flying its official school flag or the official flag of the political subdivision; or

(5) Prohibit a private or public organization or entity from flying or displaying its official flag if the private or public organization or entity is

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entitled to the exclusive use or control of a portion of the campus of a public school.

(c) This section must not be construed or applied to impair or infringe upon a person's freedom of speech in violation of the Constitution of Tennessee, Article I, § 19, or the First Amendment of the United States Constitution.

(d) As used in this section, "continuously" means without interruption during the normal operating hours of a public school to which this section applies; provided, that the public entity exercising control over such public school may expand their normal operating hours for purposes of flying one (1) or more flags in accordance with this section.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Powers moved the previous question, which motion prevailed.

Rep. Kumar moved that **House Bill No. 1319**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Pearson, Powell, Shaw, Thompson, Towns--23

A motion to reconsider was tabled.

***House Bill No. 1388** -- Health, Dept. of - As introduced, removes licensure requirements for persons who practice radiologic imaging and radiation therapy and instead requires such persons to be certified by the division of health related boards; terminates the Tennessee radiologic imaging and radiation therapy board of examiners with no wind down period. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6. by *Ragan, *Sexton , *Sherrell, *Reedy. (SB1191 by *Bailey, *Roberts)

VERSION

Rep. Ragan moved that House Bill No. 1388 be passed on third and final consideration.
Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1388 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-29-246(a), is amended by deleting subdivision (46).

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 9, is amended by deleting the part.

SECTION 3. Notwithstanding Tennessee Code Annotated, Section 4-29-112, the radiologic imaging and radiation therapy board of examiners, created by Tennessee Code Annotated, Section 63-6-901, terminates and ceases to exist.

SECTION 4. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

63-6-224.

(a) The board has, in regard to operators of X-ray equipment and machines in physician offices, the authority by rule to:

(1) Establish and issue limited X-ray certifications to qualified individuals in the areas of densitometry, chest, extremities, skull, sinus, and spine;

(2) Establish and issue full X-ray certifications to individuals who hold current and unrestricted national certification from the American Registry of Radiologic Technologists or another equivalent nationally recognized radiologic organization recognized by the board;

(3) Establish the minimum educational courses, curricula, hours, and standards that are prerequisite to the issuance of the limited certificates;

(4) Select at least one (1) examination to be utilized as the board's limited certification examination and the prerequisites, if any, for admission to the examination. The board may enter into a contract or agreement with the chosen examination service or select an intermediary between the board and the examination service to process applicants for the examination;

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(5) Establish other criteria for issuance of limited certificates that are reasonably related to the safe and competent performance of X-ray procedures;

(6) Establish a mechanism for board accreditation of educational courses that are operating for purposes of qualifying individuals for limited certification, that meet the requirements established pursuant to the rules promulgated under the authority of subdivision (a)(3), and that establish the causes and standards that are grounds for withdrawal of the course accreditation and the mechanism for such withdrawal;

(7) Establish the fees to be paid for application, certification, renewal, and late renewal of certificates and the fees required to be paid for application, renewal, and late renewal of educational course accreditation; and

(8) Establish the required number of hours, types of courses, and method of proving compliance for biennial continuing education for all certificate holders.

(b) The certificates and accreditations issued pursuant to this section must be renewed and may be retired and reactivated pursuant to procedures established by the board. A person holding a certificate issued pursuant to this section may be disciplined for the same causes and under the same procedures as contained in § 63-6-214 for the board of medical examiners and § 63-9-111 for the board of osteopathic examination.

(c) The standards established by the board pursuant to subsection (a) must be at least as stringent as any mandatory federal standards.

(d)

(1) A person shall not perform an X-ray procedure in a physician's office without being licensed as a physician or certified by the board pursuant to this section.

(2) Notwithstanding subdivision (d)(1):

(A) A person who has enrolled in a board-recognized radiologic training program is exempt from the certification requirements of this section only as to X-ray procedures performed within or under the auspices of the program in which the person is enrolled;

(B) A person who has successfully completed a board-recognized training program is exempt from the certification requirements of this section while awaiting the first opportunity to

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sit for the certification examination, but only for a period not to exceed six (6) months after the date of completion of the program; and

(C) A person who has taken the certification examination is exempt from the certification requirements of this section while awaiting the scores of the certification examination, but only for a period not to exceed seventy-five (75) days after the date of the examination.

(e) A person who holds a certificate issued pursuant to this section shall not perform X-ray procedures without:

(1) An order from a physician licensed pursuant to this chapter or an osteopathic physician licensed pursuant to chapter 9 of this title; and

(2) A physician licensed pursuant to this chapter or an osteopathic physician licensed pursuant to chapter 9 of this title exercising full supervision, responsibility, and control over the services being provided. The board is authorized to establish by rule the level of supervision required of physicians utilizing persons certified pursuant to this section.

(f) A person shall not operate a business in this state in which X-ray procedures contemplated by this section are performed if the business is not owned by a physician, group of physicians, medical professional corporation, limited liability medical professional company, or an entity or facility licensed by the health facilities commission.

(g) As used in this section, "physician's office" means anywhere the practice of medicine as defined in § 63-6-204, or the practice of osteopathic medicine as defined in § 63-9-106, which includes the performance of X-ray procedures contemplated by this section, is being conducted, except where that practice is conducted in or under the auspices of a facility or entity licensed by the health facilities commission.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Boyd moved the previous question, which motion prevailed.

Rep. Ragan moved that **House Bill No. 1388**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 73

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Noes..... 18
Present and not voting..... 4

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cochran, Crawford, Darby, Davis, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Hawk, Hazlewood, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Lynn, Marsh, Martin B, Martin G, McCalmon, Mitchell, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Johnson G, Jones, Love, McKenzie, Miller, Parkinson, Pearson, Powell, Shaw, Towns--18

Representatives present and not voting were: Beck, Cepicky, Doggett, Glynn--4

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Haston; personal

REGULAR CALENDAR, CONTINUED

***House Bill No. 982** -- Controlled Substances - As introduced, changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual report to the chief clerks of the senate and the house of representatives and the legislative librarian. - Amends TCA Title 24; Title 33; Title 39; Title 40; Title 63 and Title 68. by *Terry, *Hardaway, *Hazlewood, *Ragan. (SB859 by *Reeves)

On motion, House Bill No. 982 was made to conform with **Senate Bill No. 859**; the Senate Bill was substituted for the House Bill.

Rep. Terry moved that Senate Bill No. 859 be passed on third and final consideration.

Rep. Hulsey moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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AMEND Senate Bill No. 859 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, is amended by adding the following as a new section:

Notwithstanding another law to the contrary, a person's statement regarding the person's use or possession of marijuana to a pharmacist, physician, physician assistant, nurse, or nurse practitioner licensed under title 63 that was made in the course or scope of the person's medical care, as defined in § 56-7-2902(19)(A), for the purpose of obtaining medical advice on possible adverse effects of marijuana use in combination with other medications or medical treatment is not admissible as evidence in any criminal trial, hearing, or proceeding in which the person is a defendant; provided, that the person may expressly waive this prohibition and request the statement be admitted as evidence.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Terry moved that **Senate Bill No. 859**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--93

Representatives present and not voting were: Moody, Richey, Rudd--3

A motion to reconsider was tabled.

House Bill No. 1162 -- Arbitration - As introduced, makes various revisions to the Uniform Arbitration Act. - Amends TCA Title 29, Chapter 5; Section 47-18-5519(f)(2); Section

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56-7-1206(h)(1); Section 60-1-607(c)(2) and Section 66-34-104(f). by *Todd. (*SB775 by *Stevens)

Rep. Todd moved that House Bill No. 1162 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1162 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 5, Part 3, is amended by deleting the part and substituting:

29-5-301. Short title.

This part is known and may be cited as the "Uniform Arbitration Act."

29-5-302. Part definitions.

As used in this part:

(1) "Arbitration organization" means an association, agency, board, commission, or other entity that is neutral and initiates, sponsors, or administers an arbitration proceeding or is involved in the appointment of an arbitrator;

(2) "Arbitrator" means an individual appointed to render an award, alone or with others, in a controversy that is subject to an agreement to arbitrate;

(3) "Court" means a court of competent jurisdiction in this state;

(4) "Knowledge" means actual knowledge;

(5) "Person" means an individual; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; government; governmental subdivision, agency, or instrumentality; public corporation; or another legal or commercial entity; and

(6) "Record" means information that:

(A) Is inscribed on a tangible medium; or

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(B) Is stored in an electronic or other medium and is retrievable in perceivable form.

29-5-303. Notice.

(a) Except as otherwise provided in this part, a person gives notice to another person by taking action that is reasonably necessary to inform the other person in ordinary course. A form of notice that is specified by the agreement to arbitrate or the rules of an arbitration organization specified in the agreement to arbitrate, is conclusively presumed reasonable.

(b) A person has notice if the person has knowledge of the notice or has received notice.

(c) A person receives notice when the notice comes to the person's attention, or the notice is delivered at the person's place of residence or place of business, or at another location held out by the person as a place of delivery of the communications.

29-5-304. Applicability of the part.

(a) This part governs an agreement to arbitrate made on or after the effective date of this act.

(b) This part governs an agreement to arbitrate made before the effective date of this act, if all the parties to the agreement or to the arbitration proceeding so agree in a record.

(c) On or after the effective date of this act, this part governs an agreement to arbitrate whenever made.

29-5-305. Effect of agreement to arbitrate; nonwaivable provisions.

(a) Except as otherwise provided in subsections (b) and (c), a party to an agreement to arbitrate or to an arbitration proceeding may waive or, the parties may vary the effect of, the requirements of this part to the extent permitted by law.

(b) Before a controversy arises that is subject to an agreement to arbitrate, a party to the agreement shall not:

(1) Waive or agree to vary the effect of the requirements of § 29-5-306(a), § 29-5-307(a), § 29-5-309, § 29-5-318(a) or (b), § 29-5-327, or § 29-5-329;

(2) Agree to unreasonably restrict the right under § 29-5-310 to notice of the initiation of an arbitration proceeding;

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(3) Agree to unreasonably restrict the right under § 29-5-313 to disclosure of facts by a neutral arbitrator; or

(4) Waive the right under § 29-5-317 of a party to an agreement to arbitrate to be represented by a lawyer at a proceeding or hearing under this part, but an employer or a labor organization may waive the right to representation by a lawyer in a labor arbitration.

(c) A party to an agreement to arbitrate or arbitration proceeding shall not waive, or the parties shall not vary the effect of, the requirements of this section or § 29-5-304(a) or (c), § 29-5-308, § 29-5-315, § 29-5-319, § 29-5-321(d) or (e), § 29-5-323, § 29-5-324, § 29-5-325, § 29-5-326(a) or (b), § 29-5-330, § 29-5-331, § 29-5-332, or § 29-5-333.

29-5-306. Application for judicial relief.

(a) Except as otherwise provided in § 29-5-329, an application for judicial relief under this part must be made by petition to the court and heard in the manner provided by law or rule of court for making and hearing motions.

(b) Unless a civil action involving the agreement to arbitrate is pending, notice of an initial petition to the court under this part must be served in the manner provided by law for the service of a summons in a civil action. Otherwise, notice of the motion must be given in the manner provided by law or rule of court for serving motions in pending cases.

29-5-307. Validity of agreement to arbitrate.

(a) An agreement contained in a record to submit to arbitration an existing or subsequent controversy arising between the parties to the agreement is valid, enforceable, and irrevocable, except upon a ground that exists at law or in equity for the revocation of a contract.

(b) The court shall decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate.

(c) An arbitrator shall decide whether a condition precedent to arbitrability has been fulfilled and whether a contract containing a valid agreement to arbitrate is enforceable.

(d) If a party to a judicial proceeding challenges the existence of, or claims that a controversy is not subject to, an agreement to arbitrate, then the arbitration proceeding may continue pending final resolution of the issue by the court, unless the court otherwise orders.

29-5-308. Motion to compel or stay arbitration.

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(a) On motion of a person showing an agreement to arbitrate and alleging another person's refusal to arbitrate pursuant to the agreement:

(1) If the refusing party does not appear or does not oppose the motion, then the court must order the parties to arbitrate; and

(2) If the refusing party opposes the motion, then the court must proceed summarily to decide the issue and order the parties to arbitrate, unless the court finds that there is no enforceable agreement to arbitrate.

(b) On motion of a person alleging that an arbitration proceeding has been initiated or threatened but that there is no agreement to arbitrate, the court shall proceed summarily to decide the issue. If the court finds that there is an enforceable agreement to arbitrate, then the court shall order the parties to arbitrate.

(c) If the court finds that there is no enforceable agreement, then the court must not order the parties to arbitrate pursuant to subsection (a) or (b).

(d) The court shall not refuse to order arbitration because the claim subject to arbitration lacks merit or grounds for the claim have not been established.

(e) If a proceeding involving a claim referable to arbitration under an alleged agreement to arbitrate is pending in court, then a motion under this section must be made in that court. Otherwise a motion under this section must be made in a court as provided in § 29-5-328.

(f) If a party makes a motion to the court to order arbitration, then the court on just terms must stay a judicial proceeding that involves a claim alleged to be subject to the arbitration until the court renders a final decision under this section.

(g) If the court orders arbitration, then the court on just terms must stay a judicial proceeding that involves a claim subject to the arbitration. If a claim subject to the arbitration is severable, then the court may limit the stay to that claim.

29-5-309. Provisional remedies.

(a) Before an arbitrator is appointed and is authorized and able to act, the court, upon a motion of a party to an arbitration proceeding and for good cause shown, may enter an order for provisional remedies to protect the effectiveness of the arbitration proceeding to the same extent, and under the same conditions, as if the controversy were the subject of a civil action.

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(b) After an arbitrator is appointed and is authorized and able to act:

(1) The arbitrator may issue orders for provisional remedies, including interim awards, as the arbitrator finds necessary to protect the effectiveness of the arbitration proceeding and to promote the fair and expeditious resolution of the controversy, to the extent permitted by the agreement to arbitrate or by the rules of an arbitration organization provided in the agreement; and

(2) A party to an arbitration proceeding may move the court for a provisional remedy only if the matter is urgent and the arbitrator is not able to act timely or the arbitrator cannot provide an adequate remedy. The provisional remedy is limited to remedies calculated to preserve the parties' status quo pending appointment of and action by the arbitrator.

(c) A party does not waive a right of arbitration by making a motion under subsection (a) or (b).

29-5-310. Initiation of arbitration.

(a) A person initiates an arbitration proceeding by giving notice in a record to the other parties to the agreement to arbitrate in the agreed manner between the parties or, in the absence of agreement, by certified or registered mail, return receipt requested and obtained, or by service as authorized for the commencement of a civil action. The notice must describe the nature of the controversy and the remedy sought.

(b) Unless a person objects for lack or insufficiency of notice under § 29-5-316(c) no later than the beginning of the arbitration hearing, the person, by appearing at the hearing, waives an objection to lack of or insufficiency of notice.

29-5-311. Consolidation of separate arbitration proceedings.

(a) Class or collective arbitrations in any case governed by this chapter shall not be permitted, unless the agreements to arbitrate of all parties to be joined expressly permit the arbitrator or arbitrators to entertain such actions. In cases where class or collective arbitration is permitted, the arbitrator or arbitrators shall have the authority specified in this section. Nothing in this section prohibits the consolidation of proceedings in cases where all affected parties expressly agree to consolidation; provided, consolidation is not prohibited by the parties' agreement as provided in subsection (d).

(b) Except as otherwise provided in subsection (d), upon a motion of a party to an agreement to arbitrate or to an arbitration proceeding, the court may order consolidation of separate arbitration proceedings as to all or some of the claims, if:

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(1) There are separate agreements to arbitrate or separate arbitration proceedings between the same persons or one (1) of them is a party to a separate agreement to arbitrate or a separate arbitration proceeding with a third person;

(2) The claims subject to the agreements to arbitrate arise in substantial part from the same transaction or series of related transactions;

(3) The existence of a common issue of law or fact creates the possibility of conflicting decisions in the separate arbitration proceedings; and

(4) Prejudice resulting from a failure to consolidate is not outweighed by the risk of undue delay or prejudice to the rights of, or hardship to, parties opposing consolidation.

(c) The court may order consolidation of separate arbitration proceedings as to some claims and allow other claims to be resolved in separate arbitration proceedings.

(d) The court shall not order consolidation of the claims of a party to an agreement to arbitrate if the agreement prohibits consolidation.

29-5-312. Appointment of arbitrator; service as a neutral arbitrator.

(a) If the parties to an agreement to arbitrate agree on a method for appointing an arbitrator, then that method must be followed, unless the method fails. If the parties have not agreed on a method, the agreed method fails, or an arbitrator appointed fails or is unable to act and a successor has not been appointed, then the court, on a motion of a party to the arbitration proceeding, must appoint the arbitrator. An arbitrator so appointed has all the powers of an arbitrator designated in the agreement to arbitrate or appointed pursuant to the agreed method.

(b) An individual who has a known, direct, and material interest in the outcome of the arbitration proceeding or a known, existing, and substantial relationship with a party shall not serve as an arbitrator required by an agreement to be neutral.

29-5-313. Disclosure by arbitrator.

(a) Before accepting appointment, an individual who is requested to serve as an arbitrator, after making a reasonable inquiry, shall disclose to all parties to the agreement to arbitrate and arbitration proceeding and to other arbitrators known facts that a reasonable person would consider likely to affect the impartiality of the arbitrator in the arbitration proceeding, including:

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(1) A financial or personal interest in the outcome of the arbitration proceeding; and

(2) An existing or past relationship with the parties to the agreement to arbitrate or the arbitration proceeding, the parties' counsel or representatives, a witness, or other arbitrators.

(b) An arbitrator has a continuing obligation to disclose to all parties to the agreement to arbitrate and arbitration proceeding and to other arbitrators facts that the arbitrator learns after accepting appointment that a reasonable person would consider likely to affect the impartiality of the arbitrator.

(c) If an arbitrator discloses a fact required by subsection (a) or (b) to be disclosed and a party timely objects to the appointment or continued service of the arbitrator based upon the fact disclosed, then the objection may be a ground under § 29-5-324(a)(2) for vacating an award made by the arbitrator.

(d) If the arbitrator did not disclose a fact as required by subsection (a) or (b), upon timely objection by a party, then the court under § 29-5-324(a)(2) may vacate an award.

(e) An arbitrator appointed as a neutral arbitrator who does not disclose a known, direct, and material interest in the outcome of the arbitration proceeding, or a known, existing, and substantial relationship with a party, is presumed to act with evident partiality under § 29-5-324(a)(2).

(f) If the parties to an arbitration proceeding agree to the procedures of an arbitration organization or other procedures for challenges to arbitrators before an award is made, then substantial compliance with those procedures is a condition precedent to a motion to vacate an award on that ground under § 29-5-324(a)(2).

29-5-314. Action by majority.

If there is more than one (1) arbitrator, then the powers of an arbitrator must be exercised by a majority of the arbitrators, and all of them must conduct the hearing under § 29-5-316(c).

29-5-315. Immunity of arbitrator; competency to testify; attorney's fees and costs.

(a) An arbitrator or an arbitration organization acting in that capacity is immune from civil liability to the same extent as a judge of a court of this state acting in a judicial capacity.

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(b) The immunity afforded by this section supplements immunity afforded under other law.

(c) The failure of an arbitrator to make a disclosure required by § 29-5-313 does not cause a loss of immunity under this section.

(d) In a judicial, administrative, or similar proceeding, an arbitrator or representative of an arbitration organization is not competent to testify, and is not required to produce records as to statements, conduct, decisions, or rulings occurring during the arbitration proceeding, to the same extent as a judge of a court of this state acting in a judicial capacity. This subsection (d) does not apply:

(1) To the extent necessary to determine the claim of an arbitrator, arbitration organization, or representative of the arbitration organization against a party to the arbitration proceeding; or

(2) To a hearing on a motion to vacate an award under § 29-5-324(a)(1) or (2) if the movant establishes prima facie that a ground for vacating the award exists.

(e) If a person commences a civil action against an arbitrator, arbitration organization, or representative of an arbitration organization arising from the services of the arbitrator, organization, or representative, or if a person seeks to compel an arbitrator or a representative of an arbitration organization to testify or produce records in violation of subsection (d), and the court decides that the arbitrator, arbitration organization, or representative of an arbitration organization is immune from civil liability or that the arbitrator or representative of the organization is not competent to testify, then the court must award to the arbitrator, organization, or representative reasonable attorney's fees and other reasonable expenses of litigation.

29-5-316. Arbitration process.

(a) An arbitrator may conduct an arbitration in the manner as the arbitrator considers appropriate for a fair and expeditious disposition of the proceeding. The authority conferred upon the arbitrator includes the power to hold conferences with the parties to the arbitration proceeding before the hearing and, among other matters, determine the admissibility, relevance, materiality, and weight of evidence.

(b) An arbitrator may decide a request for summary disposition of a claim or particular issue:

(1) If all interested parties agree; or

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(2) Upon request of one (1) party to the arbitration proceeding, if that party gives notice to all other parties to the proceeding and the other parties have a reasonable opportunity to respond.

(c) If an arbitrator orders a hearing, then the arbitrator must set a time and place and give notice of the hearing no less than five (5) days before the hearing begins. Unless a party to the arbitration proceeding makes an objection to lack or insufficiency of notice no later than the beginning of the hearing, the party's appearance at the hearing waives the objection. Upon request of a party to the arbitration proceeding and for good cause shown, or upon the arbitrator's own initiative, the arbitrator may adjourn the hearing from time to time as necessary but shall not postpone the hearing to a time later than that fixed by the agreement to arbitrate for making the award, unless the parties to the arbitration proceeding consent to a later date. The arbitrator may hear and decide the controversy upon the evidence produced, although a party who was duly notified of the arbitration proceeding did not appear. The court, on request, may direct the arbitrator to conduct the hearing promptly and render a timely decision.

(d) At a hearing under subsection (c), a party to the arbitration proceeding has a right to be heard, to present evidence material to the controversy, and to cross-examine witnesses appearing at the hearing.

(e) If an arbitrator ceases or is unable to act during the arbitration proceeding, then a replacement arbitrator must be appointed in accordance with § 29-5-312 to continue the proceeding and to resolve the controversy.

29-5-317. Representation by lawyer.

A party to an arbitration proceeding may be represented by a lawyer.

29-5-318. Witnesses; subpoenas; depositions; discovery.

(a) An arbitrator may issue a subpoena for the attendance of a witness, and for the production of records and other evidence at a hearing, and may administer oaths. A subpoena must be served in the manner for service of subpoenas in a civil action and, upon a motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the manner for enforcement of subpoenas in a civil action.

(b) In order to make the proceedings fair, expeditious, and cost effective, upon request of a party to, or a witness in, an arbitration proceeding, an arbitrator may permit a deposition of a witness to be taken for use as evidence at the hearing, including a witness who cannot be subpoenaed for, or is unable to attend, a hearing. The arbitrator shall determine the conditions under which the deposition is taken.

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(c) An arbitrator may permit discovery as the arbitrator decides is appropriate in the circumstances, taking into account the needs of the parties to the arbitration proceeding and other affected persons and the desirability of making the proceeding fair, expeditious, and cost effective.

(d) If an arbitrator permits discovery under subsection (c), then the arbitrator may order a party to the arbitration proceeding to comply with the arbitrator's discovery-related orders, issue subpoenas for the attendance of a witness and for the production of records and other evidence at a discovery proceeding, and take action against a noncomplying party to the extent a court could if the controversy were the subject of a civil action in this state.

(e) An arbitrator may issue a protective order to prevent the disclosure of privileged information, confidential information, trade secrets, and other information protected from disclosure to the extent a court could if the controversy were the subject of a civil action in this state.

(f) All laws compelling a person under subpoena to testify, and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness, apply to an arbitration proceeding as if the controversy were the subject of a civil action in this state.

(g) The court may enforce a subpoena or discovery-related order for the attendance of a witness within this state and for the production of records and other evidence issued by an arbitrator in connection with an arbitration proceeding in another state upon conditions determined by the court so as to make the arbitration proceeding fair, expeditious, and cost effective. A subpoena or discovery-related order issued by an arbitrator in another state must be served in the manner provided by law for service of subpoenas in a civil action in this state and, upon a motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the manner provided by law for enforcement of subpoenas in a civil action in this state.

29-5-319. Judicial enforcement of pre-award ruling by arbitrator.

If an arbitrator makes a pre-award ruling in favor of a party to the arbitration proceeding, then the party may request the arbitrator to incorporate the ruling into an award under § 29-5-320. A prevailing party may make a motion to the court for an expedited order to confirm the award under § 29-5-323, in which case the court shall summarily decide the motion. The court shall issue an order to confirm the award, unless the court vacates, modifies, or corrects the award under § 29-5-324 or § 29-5-325.

29-5-320. Award.

(a) An arbitrator shall make a record of an award. The record must be signed or otherwise authenticated by an arbitrator who concurs with the award.

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The arbitrator or the arbitration organization shall give notice of the award, including a copy of the award, to each party to the arbitration proceeding.

(b) An award must be made within the time specified by the agreement to arbitrate or, if not specified in the agreement, within the time ordered by the court. The court may extend, or the parties to the arbitration proceeding may agree in a record, to extend the time. The court or the parties may do so within or after the time specified or ordered. A party waives an objection that an award was not timely made, unless the party gives notice of the objection to the arbitrator before receiving notice of the award.

29-5-321. Change of award by arbitrator.

(a) On a motion to an arbitrator by a party to an arbitration proceeding, the arbitrator may modify or correct an award:

(1) Upon a ground stated in § 29-5-325(a)(1) or (3);

(2) Because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or

(3) To clarify the award.

(b) A motion under subsection (a) must be made and notice given to all parties within twenty (20) days after the movant receives notice of the award.

(c) A party to the arbitration proceeding shall give notice of an objection to the motion within ten (10) days after receipt of the notice.

(d) If a motion to the court is pending under § 29-5-323, § 29-5-324, or § 29-5-325, then the court may submit the claim to the arbitrator to consider whether to modify or correct the award:

(1) Upon a ground stated in § 29-5-325(a)(1) or (a)(3);

(2) Because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or

(3) To clarify the award.

(e) An award modified or corrected pursuant to this section is subject to §§ 29-5-320(a), 29-5-323, 29-5-324, and 29-5-325.

29-5-322. Remedies; fees, and expenses of arbitration proceeding.

(a) In all cases in which the agreement of the parties does not exclude the seeking of punitive damages, an arbitrator may award punitive damages or

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other exemplary relief, if the award is authorized by law in a civil action involving the same claim and the evidence produced at the hearing justifies the award under the legal standards otherwise applicable to the claim.

(b) An arbitrator may award reasonable attorney's fees and other reasonable expenses of arbitration, if the award is authorized by law in a civil action involving the same claim or by the agreement of the parties to the arbitration proceeding.

(c) As to all remedies other than those authorized by subsections (a) and (b), an arbitrator may order remedies as the arbitrator considers just and appropriate under the circumstances of the arbitration proceeding. The fact that a remedy could not or would not be granted by the court is not a ground for refusing to confirm an award under § 29-5-323 or for vacating an award under § 29-5-324.

(d) An arbitrator's expenses and fees, together with other expenses, must be paid as provided in the award.

(e) If an arbitrator awards punitive damages or other exemplary relief under subsection (a), then the arbitrator must specify in the award the basis in fact justifying, and the basis in law authorizing, the award and state separately the amount of the punitive damages or other exemplary relief.

29-5-323. Confirmation of award.

After a party to an arbitration proceeding receives notice of an award, the party may make a motion or petition to the court for an order confirming the award, at which time, the court must issue a confirming order, unless the award is modified or corrected pursuant to § 29-5-321 or § 29-5-325, or is vacated pursuant to § 29-5-324.

29-5-324. Vacating award.

(a) Upon a motion to the court by a party to an arbitration proceeding, the court shall vacate an award made in the arbitration proceeding if:

(1) The award was procured by corruption, fraud, or other undue means;

(2) There was:

(A) Evident partiality by an arbitrator appointed as a neutral arbitrator;

(B) Corruption by an arbitrator; or

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(C) Misconduct by an arbitrator prejudicing the rights of a party to the arbitration proceeding;

(3) An arbitrator refused to postpone the hearing upon showing of sufficient cause for postponement, refused to consider evidence material to the controversy, or otherwise conducted the hearing contrary to § 29-5-316, so as to prejudice substantially the rights of a party to the arbitration proceeding;

(4) An arbitrator exceeded the arbitrator's powers;

(5) There was no agreement to arbitrate, unless the person participated in the arbitration proceeding without raising the objection under § 29-5-316(c) no later than the beginning of the arbitration hearing; or

(6) The arbitration was conducted without proper notice of the initiation of an arbitration as required in § 29-5-310 so as to prejudice substantially the rights of a party to the arbitration proceeding.

(b) A motion under this section must be filed within ninety (90) days after the movant receives notice of the award pursuant to § 29-5-320, or within ninety (90) days after the movant receives notice of a modified or corrected award pursuant to § 29-5-321, unless the movant alleges that the award was procured by corruption, fraud, or other undue means, in which case, the motion must be made within ninety (90) days after the ground is known or by the exercise of reasonable care would have been known by the movant.

(c) If the court vacates an award on a ground other than that set forth in subdivision (a)(5), then the court may order a rehearing. If the award is vacated on a ground stated in subdivision (a)(1) or (a)(2), then the rehearing must be before a new arbitrator. If the award is vacated on a ground stated in subdivision (a)(3), (a)(4), or (a)(6), then the rehearing may be before the arbitrator who made the award or the arbitrator's successor. The arbitrator must render the decision in the rehearing within the same time as that provided in § 29-5-320(b) for an award.

(d) If the court denies a motion to vacate an award, then the court must confirm the award, unless a motion to modify or correct the award is pending.

29-5-325. Modification or correction of award.

(a) Upon a motion made within ninety (90) days after the movant receives notice of the award pursuant to § 29-5-320, or within ninety (90) days after the movant receives notice of a modified or corrected award pursuant to § 29-5-321, the court shall modify or correct the award if:

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(1) There was an evident mathematical miscalculation or an evident mistake in the description of a person, thing, or property referred to in the award;

(2) The arbitrator has made an award on a claim not submitted to the arbitrator and the award may be corrected without affecting the merits of the decision upon the claims submitted; or

(3) The award is imperfect in a matter of form not affecting the merits of the decision on the claims submitted.

(b) If a motion made under subsection (a) is granted, then the court must modify or correct and confirm the award as modified or corrected. Otherwise, unless a motion to vacate is pending, the court shall confirm the award.

(c) A motion to modify or correct an award pursuant to this section may be joined with a motion to vacate the award.

29-5-326. Judgment on award; attorney's fees, and litigation expenses.

(a) Upon granting an order confirming, vacating without directing a rehearing, modifying, or correcting an award, the court shall enter a judgment in conformity with the award. The judgment may be recorded, docketed, and enforced as other judgments in a civil action.

(b) A court may allow reasonable costs of the motion and subsequent judicial proceedings.

(c) On application of a prevailing party to a contested judicial proceeding under § 29-5-323, § 29-5-324, or § 29-5-325, the court may add reasonable attorney's fees and other reasonable expenses of litigation incurred in a judicial proceeding after the award is made to a judgment confirming, vacating without directing a rehearing, modifying, or correcting an award.

29-5-327. Jurisdiction.

(a) A court of this state having jurisdiction over the controversy and the parties may enforce an agreement to arbitrate.

(b) An agreement to arbitrate providing for arbitration in this state confers exclusive jurisdiction on the court to enter judgment on an award under this part.

29-5-328. Venue.

A motion pursuant to § 29-5-306 must be made in the court of the county in which the agreement to arbitrate specifies the arbitration hearing is to be held or, if the hearing has been held, in the court of the county in which the hearing

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was held. Otherwise, the motion may be made in the court of a county in which an adverse party resides or has a place of business or, if no adverse party has a residence or place of business in this state, then in the court of any county in this state. Subsequent motions must be made in the court hearing the initial motion unless the court otherwise directs.

29-5-329. Appeals.

(a) An appeal may be taken from:

- (1) An order denying a motion to compel arbitration;
- (2) An order granting a motion to stay arbitration;
- (3) An order confirming or denying confirmation of an award;
- (4) An order modifying or correcting an award;
- (5) An order vacating an award without directing a rehearing; or
- (6) A final judgment entered pursuant to this part.

(b) An appeal under this section must be taken as from an order or a judgment in a civil action.

29-5-330. Uniformity of application and construction.

In applying and construing this part, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

29-5-331. Relationship to electronic signatures in global and national commerce act.

The provisions of this part governing the legal effect, validity, and enforceability of electronic records or electronic signatures, and of contracts performed with the use of electronic records or signatures conform to the requirements of Section 102 of the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. § 7002).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to an action or proceeding commenced, or right accrued, on or after that date.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

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Rep. Todd moved that **House Bill No. 1162**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 2

Representatives voting aye were: Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--87

Representatives voting no were: Dixie, Shaw--2

A motion to reconsider was tabled.

***Senate Joint Resolution No. 127** -- General Assembly, Statement of Intent or Position - Expresses support for the Allowing Military Exemptions, Recognizing Individual Concerns About New Shots (AMERICANS) Act of 2023. by *Johnson, *Bowling, *Crowe, *Hensley, *Jackson, *Powers, *Reeves, *Stevens, *Taylor, *White. (*Zachary, *Ragan, *Vital, *Littleton, *Moody, *Reedy, *McCalmon, *Butler, *Eldridge, *Doggett, *Raper, *Hawk, *Sparks, *Williams, *Boyd, *Richey, *Lamberth, *Faison, *Hulsey)

Rep. Zachary moved that the House concur in **Senate Joint Resolution No. 127**, which motion prevailed by the following vote:

Ayes 71
Noes..... 21

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks,

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Stevens, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--71

Representatives voting no were: Beck, Camper, Chism, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Kumar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Thompson--21

A motion to reconsider was tabled.

***House Bill No. 1261** -- Education, Dept. of - As introduced, requires the department, in administering the individualized education account program, to develop and implement a process for notifying all parents of their children's potential eligibility for an individualized education account, instead of only ensuring lower-income families are so notified; requires the department to report whether the process increased student participation in the program to the education committee of the senate and the education administration committee of the house of representatives by January 31 of each year. - Amends TCA Title 49. by *Moody, *Cepicky, *Littleton, *Slater. (SB1208 by *White)

Rep. Moody moved that House Bill No. 1261 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1261 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-10-1405(a)(5), is amended by deleting the subdivision and substituting:

Develop and implement a process to notify parents of their child's potential eligibility to participate in the program and notify the education committee of the senate and the education administration committee of the house of representatives on the process that the department develops pursuant to this subdivision (a)(5);

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Moody moved that **House Bill No. 1261**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87

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Noes.....2

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Gillespie, Glynn, Grills, Hakeem, Hardaway, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--87

Representatives voting no were: Johnson G, Jones--2

A motion to reconsider was tabled.

***House Bill No. 843** -- Education, Higher - As introduced, changes, from September 15 to October 1, the date by which each public institution of higher education operating a hearing center must provide a written report to the Tennessee higher education commission, the education committee of the senate, and the education administration committee of the house of representatives regarding the operation of the hearing center. - Amends TCA Title 49. by *Lynn, *Barrett, *McCalmon. (SB1060 by *Hensley)

Rep. Lynn moved that **House Bill No. 843** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 841** -- Obscenity and Pornography - As introduced, removes the educational justification of a person possessing obscene material if the person is at a school building, bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by a local education agency. - Amends TCA Title 39, Chapter 17, Part 9. by *Lynn, *Barrett, *McCalmon. (SB1059 by *Hensley)

Rep. Lynn moved that **House Bill No. 841** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 641** -- Children's Services, Dept. of - As introduced, requires a court to find that a child will receive proper care and supervision in a safe home prior to the department allowing a parent or guardian to have unsupervised visitation with, or physical custody of, the child, who was removed from the parent or guardian's custody due to a finding of dependency and neglect; requires the department to observe the parent or guardian with the child before recommending the return of physical custody to the parent or guardian. - Amends TCA Title 36 and Title 37. by *Littleton, *Hardaway, *Whitson, *Butler. (SB656 by *Jackson, *Haile)

On motion, House Bill No. 641 was made to conform with **Senate Bill No. 656**; the Senate Bill was substituted for the House Bill.

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Rep. Littleton moved that Senate Bill No. 656 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 656** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Faison, Farmer, Freeman, Fritts, Gant, Gillespie, Glynn, Grills, Hakeem, Hardaway, Harris, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

House Bill No. 551 -- Adoption - As introduced, makes various changes to adoption law, including reducing the waiting period before finalization of adoption in certain circumstances. - Amends TCA Title 36; Title 37 and Title 68, Chapter 3, Part 3. by *Littleton, *Helton-Haynes, *White, *Bulso, *Harris, *Hakeem, *Slater, *Russell, *Bricken, *Alexander, *Whitson, *Wright, *Butler, *Cepicky, *Terry, *Moody, *Howell, *Lafferty. (*SB528 by *Haile, *Crowe, *Massey, *Reeves, *Campbell, *White, *Walley)

On motion, House Bill No. 551 was made to conform with **Senate Bill No. 528**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 528 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 2 as follows:
Amendment No. 2

AMEND Senate Bill No. 528 by deleting all language after the enacting clause and substituting:

VERSION

SECTION 1. Tennessee Code Annotated, Section 36-1-109(a)(1)(B)(ii), is amended by deleting the language "counseling" and substituting instead "counseling, which may occur in person or by virtual means,".

SECTION 2. Tennessee Code Annotated, Section 36-1-111(o)(6)(C), is amended by deleting the subdivision and substituting instead:

(C) If the person, the department, or the licensed child-placing agency to whom the child is surrendered or to whom parental consent is given, has physical custody or has otherwise complied with subdivision (d)(6), and if there has been full compliance with the other provisions of this section, then the court shall, contemporaneously with the surrender or the filing of an adoption petition, immediately upon written motion by the person or the person's attorney, or by the department or the licensed child-placing agency, enter an order giving the person, the licensed child-placing agency, or the department guardianship or partial guardianship of the child.

SECTION 3. Tennessee Code Annotated, Section 36-1-112, is amended by adding the following as a new subsection:

() The court may reduce the three-day revocation period to a twenty-four (24) hour revocation period if the birth parent is represented by an attorney who is licensed to practice law in this state.

SECTION 4. Tennessee Code Annotated, Section 36-1-113(g)(10), is amended by deleting the subdivision and substituting instead:

(10)

(A) The parent has been convicted of one (1) of the following offenses from which the child was conceived:

(i) Aggravated rape, pursuant to § 39-13-502;

(ii) Rape, pursuant to § 39-13-503;

(iii) Rape of a child, pursuant to § 39-13-522;

(iv) Especially aggravated rape, pursuant to § 39-13-534;

or

(v) Especially aggravated rape of a child, pursuant to § 39-13-535; and

(B) A certified copy of the conviction suffices to prove this ground;

VERSION

SECTION 5. Tennessee Code Annotated, Section 36-1-113(h)(1), is amended by deleting subdivision (h)(1)(D) and substituting instead the following:

(D) If a juvenile court has made a finding of severe child abuse as defined in § 37-1-102, then a petition required by this subdivision (h)(1)(D) must be filed within ninety (90) days of the finding;

(E) If a child has been in foster care under the responsibility of the department for six (6) months or more and the child's parents have not made reasonable progress toward obtaining custody of the child during the six-month period; or

(F) If two (2) or more of the grounds for termination of parental rights set out in subsection (g) apply to the child's parent.

SECTION 6. Tennessee Code Annotated, Section 36-1-117(c)(2), is amended by deleting the subdivision and substituting instead:

(2) The biological father has claimed to the child's biological mother, or the petitioners or their attorney, or to the department, a licensed child-placing agency, or a licensed clinical social worker who is involved in the care, placement, supervision, or study of the child, that the biological father believes that the biological father is the father of the child and has either paid financial support to or for the benefit of the child or the child's mother during the pregnancy or when the mother had physical custody of the child, or has made a court filing or appearance consistent with the biological father's claim of paternity; provided, that if the biological father has previously notified the department of the biological father's claim to paternity of the child pursuant to the putative father registry, § 36-2-318(e)(3), then the biological father is subject to all requirements for waiver of notice provisions of § 36-2-318(f)(2) and to all requirements for filing a paternity petition;

SECTION 7. Tennessee Code Annotated, Section 36-1-117(c)(4), is amended by deleting the subdivision and substituting instead:

(4) The biological father has openly lived with the child and has held himself out as the father of the child; provided, that if custody of the child has been removed from the biological mother by court order, notice shall be given to any man who was openly living with the child at the time of the initiation of the custody or guardianship proceeding that resulted in the removal of the custody or guardianship of the child from the biological mother or biological father, if the man held himself out to be the father of the child at the time of the removal; or

SECTION 8. Tennessee Code Annotated, Section 36-1-122(b)(2), is amended by deleting the subdivision and substituting instead:

VERSION

(2) In no event, for any reason, shall an adoption be overturned by a trial court or collaterally attacked by any person or entity after nine (9) months from the date of entry of the final order of adoption by a court of competent jurisdiction. This subdivision (b)(2) is intended as a statute of repose.

SECTION 9. Tennessee Code Annotated, Section 37-2-414(b)(2), is amended by adding the following language between the first and second sentences of the subdivision:

The department shall prioritize efforts to locate an appropriate kinship foster care placement for the child for at least thirty (30) days following removal from the child's home.

SECTION 10. Tennessee Code Annotated, Section 37-2-414(b), is amended by adding the following new subdivision:

() The department shall develop and implement eligibility standards for temporary kinship placements.

SECTION 11. Tennessee Code Annotated, Section 37-2-414(e), is amended by adding the following subdivision (e)(1) and redesignating the current language as subdivision (e)(2):

(1) Except when placement is in the best interest of the child, the department shall not place a child with, or allow a child to remain in the home of, a kinship foster parent if the kinship foster parent shares a residence with the child's parent who has had parental rights to the child terminated.

SECTION 12. Tennessee Code Annotated, Section 37-2-415(a)(17), is amended by adding the following language before the semicolon at the end of the subdivision:

. A foster parent who has served as the physical placement for the child for a period of nine (9) months or more shall be permitted to appear and actively participate in any permanency hearing or dispositional hearing for that child with regard to the best interests of the child

SECTION 13. Tennessee Code Annotated, Section 37-2-416, is amended by deleting subsection (a), substituting the following, and redesignating the subsequent subsection appropriately:

(a) The department shall notify the foster parents, if any, or any prospective adoptive parent or relative providing care for the child in state custody with notice of any review or hearing to be held with respect to the child. The foster parents, if any, of such a child and any prospective adoptive parent or relative providing care for the child shall be provided with notice of the right to be heard in any review or hearing to be held with respect to the child, except that

VERSION

this section shall not be construed to require that any foster parent, prospective adoptive parent, or relative providing care for the child who has served as the physical placement for the child for a period of fewer than nine (9) continuous months be made a party to such a review or hearing solely on the basis of such notice and right to be heard.

(b) Any foster parent who has served as the physical placement for the child for a period of nine (9) or more continuous months shall be permitted to appear for the sole purpose of presenting evidence with regard to the best interests of the child.

SECTION 14. Tennessee Code Annotated, Section 36-1-116(a), is amended by adding the following new subdivision:

(3) The department must accept a home study performed by a licensed child-placing agency or licensed clinical social worker within the previous two (2) years, and shall not require a prospective adoptive parent who has had a valid home study completed by a licensed child-placing agency or licensed clinical social worker to undergo an additional home study by the department in order to adopt a child who is in the custody of the department unless there have been subsequent changes to the circumstances of the household.

SECTION 15. Tennessee Code Annotated, Section 36-1-114, is amended by deleting the section and substituting:

(a) The termination petition may be filed in the county:

(1) Where the petitioners reside;

(2) Where the child resides;

(3) Where, at the time the petition is filed, any respondent resides;

(4) In which is located any licensed child-placing agency or institution operated under the laws of this state having custody or guardianship of the child or to which the child has been surrendered as provided in this part;

(5) Where the child became subject to the care and control of a public or private child-caring or child-placing agency; or

(6) Where the child became subject to partial or complete guardianship or legal custody of the petitioners as provided in this part.

(b) The adoption petition may be filed in any county listed in subdivisions (a)(1)–(6) or a county that is adjacent to a county listed in subdivisions (a)(1)–(6).

VERSION

SECTION 16. Tennessee Code Annotated, Section 37-2-403(b), is amended by adding the following new subdivision:

(4) A foster parent or kinship caregiver with whom a child has resided for six (6) months or more is a person who has a significant relationship with the child. Absent evidence to the contrary, the department, foster care advisory review board, or court may presume that continuation of the child's placement with, or adoption by, the child's current caregivers is in the child's best interests.

SECTION 17. Section 8 of this act takes effect July 1, 2024, the public welfare requiring it. All other sections of this act take effect July 1, 2023, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 2 was adopted.

Rep. Littleton moved that **Senate Bill No. 528**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 81
Noes..... 10

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Moody, Moon, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--81

Representatives voting no were: Camper, Clemmons, Dixie, Freeman, Hardaway, Harris, Johnson G, Jones, McKenzie, Parkinson--10

A motion to reconsider was tabled.

***House Bill No. 1012** -- County Officers - As introduced, authorizes a county election council to notify the Tennessee Constable Association, the Tennessee Constable Council, and the East Tennessee Constables Association of the election or appointment of a constable by electronic means. - Amends TCA Title 8, Chapter 10; Title 8, Chapter 21, Part 9 and Section 65-3-118. by *Grills, *Russell, *Farmer, *Powers, *Todd. (SB1493 by *Jackson)

Rep. Grills moved that House Bill No. 1012 be passed on third and final consideration.

VERSION

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1012 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 8-21-901, is amended by adding the following new subsection:

(d) Notwithstanding this part to the contrary, a county legislative body may adopt a resolution to increase the fees to which a constable is entitled under this section, or to generally supplement the pay of a constable who is an officer of the county. A fee increase or pay supplement must be commensurate with the nature of the work, services provided, and experience of the constable.

SECTION 2. Tennessee Code Annotated, Section 8-21-901, is amended by deleting the language "\$40.00" in subdivisions (a)(1) and (2) and substituting "\$50.00", and by deleting the language "20.00" in subdivision (a)(2)(B)(i) and substituting "\$40.00".

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Grills moved that **House Bill No. 1012**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin G, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--89

Representatives present and not voting were: Pearson--1

A motion to reconsider was tabled.

VERSION

***House Bill No. 306** -- Schools, Private - As introduced, authorizes a private school to create a policy to regulate a student's participation in the school's athletic activities or events based upon a student's biological sex. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 50. by *Bulso, *Sherrell, *Alexander, *Capley, *McCalmon, *Todd, *Garrett, *Barrett, *Warner, *Zachary, *Littleton, *Doggett. (SB1237 by *Hensley)

Further consideration of House Bill No. 306, previously considered on March 30, 2023, at which time it was reset for today's Regular Calendar.

Rep. Bulso moved that House Bill No. 306 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 306 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, Part 8, is amended by adding the following as a new section:

(a) In connection with an interscholastic athletic activity or event where membership in the Tennessee Secondary School Athletic Association is required, a student enrolled in a private school in this state is eligible to participate in such athletic activity or event only in accordance with the student's sex, as defined in § 49-2-802.

(b) This section does not prohibit a student whose sex, as defined in § 49-2-802, is female from participating on a team designated for male students if the school does not offer a separate team for female students in that sport.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Bulso moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 306 by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

VERSION

SECTION __. Tennessee Code Annotated, Section 49-50-803, is amended by deleting the language "K-12" wherever it appears in the section.

SECTION __. Tennessee Code Annotated, Section 49-50-803, is amended by adding the following as a new subsection:

(f) As used in this section, "private school" means a private school as defined in § 49-6-3001(c) that serves students in any of the grades pre-kindergarten through twelve (pre-K-12).

BILL RE-REFERRED

Rep. Love moved that **House Bill No. 306** be re-referred to the Education Administration Committee.

BILL RE-REFERRED

Rep. Bulso moved that **House Bill No. 306** be re-referred to the Education Administration Committee Calendar, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 36** -- Schools, Charter - As introduced, revises the requirement for automatic revocation of a public charter school agreement to apply only if each of the two consecutively issued priority school lists identify the charter school as a priority school based on an evaluation of no less than three consecutive years of school performance data; prohibits the 2022 priority school list from being considered as one of the priority school cycles required for automatic revocation of a public charter school agreement. - Amends TCA Title 49, Chapter 13. by *Hardaway, *White, *Slater. (SB881 by *Akbari)

Further consideration of House Bill No. 36, previously considered on March 30, 2023 at which time it was reset for today's Regular Calendar.

Rep. Hardaway moved that House Bill No. 36 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 36 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-122, is amended by deleting subdivision (a)(1) and substituting:

VERSION

(1) An authorizer, excluding the achievement school district, may revoke a public charter school agreement if the public charter school receives identification as a priority school, as defined by the state's accountability system pursuant to § 49-1-602; provided, however, that an authorizer shall not revoke a public charter school agreement based on the public charter school being identified as a priority school on the priority school list issued in 2022 or 2023. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school.

SECTION 2. Tennessee Code Annotated, Section 49-13-122, is amended by deleting subdivision (a)(3) and substituting:

(3) An authorizer, excluding the achievement school district, shall revoke a public charter school agreement if the public charter school receives identification as a priority school for two (2) consecutive cycles. The revocation takes effect immediately following the close of the school year in which the public charter school is identified as a priority school for the second consecutive cycle. The priority school lists issued in 2022 and 2023 shall not be considered a priority school cycle for purposes of this subdivision (a)(3) and shall not subject a public charter school to automatic revocation of its charter agreement.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that **House Bill No. 36**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	7
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Cepicky, Chism, Cochran, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, McCalmon, McKenzie, Miller, Moon, Parkinson, Powell, Powers, Ragan, Raper, Richey, Rudder, Russell, Shaw, Slater, Sparks, Stevens, Terry, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--83

Representatives voting no were: Carr, Clemmons, Crawford, Dixie, Mitchell, Reedy, Sherrell--7

Representatives present and not voting were: Pearson, Thompson--2

VERSION

A motion to reconsider was tabled.

***House Bill No. 750** -- Real Property - As introduced, requires the board of directors for a unit owners' association to have a reserve study done on or before January 1, 2024, if the board has not had a reserve study conducted on or after January 1, 2023; requires the board to have an updated reserve study done within five years of the date that the reserve study is done, and every five years thereafter. - Amends TCA Title 66, Chapter 27. by *Powell, *Jernigan, *Clemmons, *Beck, *Hemmer, *Mitchell, *Glynn, *Pearson, *Moon, *Rudd, *Camper, *Cepicky. (SB863 by *Reeves)

Further consideration of House Bill No. 750, previously considered on March 27, 2023 and March 30, 2023, at which time it was reset for today's Calendar.

On motion, House Bill No. 750 was made to conform with **Senate Bill No. 863**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 863 be passed on third and final consideration.

Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Vaughan moved that Commerce Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 863** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	1
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--87

Representatives voting no were: Butler--1

**THURSDAY, APRIL 6, 2023 – TWENTY-FIRST LEGISLATIVE DAY UNOFFICIAL
VERSION**

Representatives present and not voting were: Hulsey, Rudder--2

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 1380, 942, 1317, 348 and 566** to be heard in the Government Operations Committee next week, which motion prevailed.

BILL RECALL

Rep. Lamberth moved that **Senate Joint Resolution No. 234** be returned to the Senate, which motion prevailed.

RULES SUSPENDED

Rep. Mitchell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 514 out of order, which motion prevailed.

***House Joint Resolution No. 514** -- Memorials, Recognition - "Copperhead Road" by Steve Earle. by *Mitchell, *Campbell S.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Mitchell, the resolution was adopted.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGE

Without objection, the House reconsidered its action on **Senate Joint Resolution No. 234.**

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 306** to be heard in the Education Administration Committee next week, which motion prevailed.

BILL RETURNED

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

VERSION

Rep. Lamberth moved that **Senate Joint Resolution No. 234** be returned to the Senate, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 10, 2023:

House Bill No. 1306: by Rep. Kumar

House Bill No. 644: by Rep. Baum

House Bill No. 988: by Rep. Beck

House Bill No. 1342: by Mr. Speaker Sexton

MOTION TO SUSPEND THE RULES

Rep. Lamberth moved to suspend the rules to allow Rep. Justin Jones, Rep. Gloria Johnson and Rep. Justin Pearson twenty minutes in such members opening remark on the Resolution that contains their name in the caption, and that if requested their attorneys be allowed to make remarks in that same twenty minutes. Furthermore, the members named be allowed five minutes in closing remarks, which motion prevailed.

MOTION TO SUSPEND THE RULES

Rep. Garrett moved to suspend the rules to allow video depicting the events occurring on March 30, 2023 to be played in the Chamber at this time.

Rep. Pearson moved the previous question, which motion prevailed by the following vote:

Ayes	72
Noes.....	23
Present and not voting	1

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar,

VERSION

Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns—23

Representatives voting present and not voting were: Glynn –1

Rep. Garrett moved to suspend the rules to allow the video depicting the events occurring on March 30, 2023 to be played in the Chamber at this time, which motion prevailed by the following vote:

Ayes	72
Noes.....	24
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--24

Representatives present and not voting were: Bricken, Gillespie--2

MOTION TO EXPEL

House Resolution No. 65 -- General Assembly - Expels Representative Justin Jones from the House of Representatives of the 113th General Assembly. by *Hulsey, *Farmer, *Bulso, *Garrett.

Rep. Hulsey moved adoption of House Resolution No. 65.

1295

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VERSION

Rep. Clemmons moved that House Resolutions Nos. 63, 64 and 65 be referred to the House Select Committee on Rules, which motion failed by the following vote:

Ayes 25
Noes..... 73

Representatives voting aye were: Beck, Camper, Chism, Clemmons, Dixie, Faison, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--25

Representatives voting no were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Rep. Hulsey moved adoption of House Resolution No. 65.

Rep. Hulsey requested that the Clerk read House Resolution No. 65.

The Clerk read House Resolution No. 65.

Rep. Keisling moved the previous question, which motion prevailed by the following vote:

Ayes 73
Noes..... 24

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--24

Rep. Hulsey moved adoption of **House Resolution No. 65**, which motion prevailed by the following vote:

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Ayes 72
Noes..... 25

Representatives voting aye were: Alexander, Barrett, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Baum, Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--25

Having received the concurrence of two-thirds of the members to which the House is entitled under the Constitution of the State of Tennessee, House Resolution No. 65 is hereby adopted.

A motion to reconsider was tabled.

Pursuant to Article II, section 12 of the Constitution of the State of Tennessee, Representative Justin Jones of the 52nd Representative District was expelled from the House of Representatives of the One Hundred and Thirteenth Assembly of the State of Tennessee.

MOTION TO ADJOURN

Rep. Clemmons moved the House adjourn until 5:00 p.m., Monday, April 10, 2023, which motion failed by the following vote:

Ayes 23
Noes..... 73

Representatives voting aye were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--23

Representatives voting no were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

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MOTION TO EXPEL

House Resolution No. 64 -- General Assembly - Expels Representative Gloria Johnson from the House of Representatives of the 113th General Assembly. by *Bulso.

Rep. Bulso moved to adopt House Resolution No. 64.

Rep. Bulso requested that the Clerk read House Resolution No. 64.

The Clerk read House Resolution No. 64.

Rep. Towns moved to suspend the rules to allow council to answer questions from the body, of which, Rep. Clemmons submitted to the Clerk the motion in writing, which motion failed by the following vote:

Ayes	21
Noes.....	67

Representatives voting aye were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Towns--21

Representatives voting no were: Alexander, Barrett, Baum, Boyd, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary--67

Rep. Doggett moved the previous question, which motion prevailed by the following vote:

Ayes	71
Noes.....	23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--71

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Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--23

Rep. Bulso moved adoption of **House Resolution No. 64**, which motion failed by the following vote:

Ayes	65
Noes.....	30

Representatives voting aye were: Alexander, Boyd, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Sherrell, Slater, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--65

Representatives voting no were: Barrett, Baum, Beck, Bricken, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Richey, Russell, Shaw, Sparks, Thompson, Towns, Whitson--30

MOTION TO EXPEL

House Resolution No. 63 -- General Assembly - Expels Representative Justin J. Pearson from the House of Representatives of the 113th General Assembly. by *Farmer.

Rep. Farmer moved adoption of House Resolution No. 63.

Rep Farmer requested the Clerk read House Resolution No. 63.

The Clerk read House Resolution No. 63.

Rep. Warner moved the previous question, which motion prevailed by the following vote:

Ayes	73
Noes.....	23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell,

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Sherrell, Slater, Sparks, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Shaw, Thompson, Towns--23

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Terry

MOTION TO EXPEL, CONTINUED

Rep. Farmer moved adoption of **House Resolution No. 63**, which motion prevailed by the following vote:

Ayes	69
Noes.....	26

Representatives voting aye were: Alexander, Barrett, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Baum, Beck, Camper, Chism, Clemmons, Dixie, Freeman, Gillespie, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Pearson, Powell, Richey, Shaw, Thompson, Towns--26

Having received the concurrence of two-thirds of the members to which the House is entitled under the Constitution of the State of Tennessee, House Resolution No. 63 is hereby adopted.

A motion to reconsider was tabled.

Pursuant to Article II, section 12 of the Constitution of the State of Tennessee, Representative Justin J. Pearson of the 86th Representative District was expelled from the

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House of Representatives of the One Hundred and Thirteenth Assembly of the State of Tennessee.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 120 Rep. Shaw as prime sponsor.

House Bill No. 306 Reps. Sherrell, Alexander, Capley, McCalmon, Todd, Garrett, Barrett, Warner, Zachary, Littleton and Doggett as prime sponsors.

House Bill No. 841 Reps. Barrett and McCalmon as prime sponsors.

House Bill No. 843 Reps. Barrett and McCalmon as prime sponsors.

House Bill No. 1569 Rep. Hurt as prime sponsor.

MESSAGE FROM THE SENATE

April 6, 2023

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 29, 91, 338, 340, 448, 452, 883, 903 and 1039; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 6, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 22, 27, 301, 317, 753, 782, 817, 871, 1146 and 1336; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 22** -- Sexual Offenses - As introduced, requires each local law enforcement agency to assemble, by January 1, 2024, an adult sexual assault response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction; requires each team to include members with expertise in a variety of disciplines relevant to sexual assault response. - Amends TCA Title 38. by *Massey, *Campbell, *Akbari, *Lamar, *Lowe. (HB415 by *Davis)

***Senate Bill No. 27** -- Open Meetings - As introduced, requires governing bodies to make agendas of meetings and supplemental meeting documents available to the public at

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least 48 hours prior to the meeting. - Amends TCA Title 8, Chapter 44. by *Gardenhire, *Haile, *Yager. (HB23 by *Moon, *Todd, *Helton-Haynes, *Jernigan, *Rudder, *Farmer, *Faison)

***Senate Bill No. 301** -- Education, Higher - As introduced, allows adjunct faculty to participate in the Brian Byrge Act by allowing them to enroll in one course consisting of no more than four credit hours or 120 clock hours, per term at the community college or Tennessee college of applied technology at which they are employed, without paying tuition charges or maintenance fees. - Amends TCA Section 49-7-158. by *Lundberg, *Lowe. (HB961 by *Hicks G)

***Senate Bill No. 317** -- Education - As introduced, extends the benefits and opportunities provided to children of active duty members of the uniformed services in the Interstate Compact on Educational Opportunity for Military Children to school-aged children in the household of a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard who are enrolled in any of the grades kindergarten through 12. - Amends TCA Title 49. by *Powers, *Lowe. (HB1416 by *Ragan, *Raper, *Fritts, *Butler)

***Senate Bill No. 753** -- Pharmacy, Pharmacists - As introduced, vacates the board of pharmacy, adds two pharmacy technician members to the board, and makes various other changes to the board's composition; authorizes the board to employ or retain general counsel. - Amends TCA Title 4, Chapter 29; Title 63, Chapter 1 and Title 63, Chapter 10, Part 3. by *Haile, *Reeves, *Walley. (HB1317 by *Kumar)

Senate Bill No. 782 -- Utilities, Utility Districts - As introduced, increases, from two to three, the minimum number of times the underground utility damage enforcement board is required to meet in a calendar year. - Amends TCA Title 4, Chapter 5 and Title 65, Chapter 31. by *Walley. (*HB798 by *Johnson C)

***Senate Bill No. 817** -- Education, Higher - As introduced, enacts the "Tennessee Higher Education Freedom of Expression and Transparency Act." - Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8. by *Hensley, *Bowling, *Briggs, *Rose. (HB1376 by *Ragan, *Fritts, *Hicks T, *Slater, *Hawk)

Senate Bill No. 871 -- Taxes, Real Property - As introduced, authorizes local legislative bodies to set the income limit for persons who are 65 years of age or older and otherwise eligible for property tax relief under the Property Tax Freeze Act at \$60,000. - Amends TCA Title 67, Chapter 5, Part 7. by *Akbari, *Lamar. (*HB366 by *Love, *Clemmons, *Hardaway)

Senate Bill No. 1146 -- Insurance, Health, Accident - As introduced, changes a utility district board member's insurance compensation option from payment to reimbursement of payment for premiums paid for equivalent or similar medical insurance coverage and life insurance coverage by the member; allows a utility district board member to receive reimbursement of premiums paid for medical insurance coverage under medicare and any medicare supplement insurance policy. - Amends TCA Title 7, Chapter 82. by *Niceley. (*HB753 by *Littleton)

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Senate Bill No. 1336 -- Public Contracts - As introduced, requires the state procurement commission to strive to ensure that at least 5 percent of procurement contracts are awarded to veteran-owned businesses. - Amends TCA Title 12. by *Bailey. (*HB311 by *Butler, *Sexton, *Ragan, *Moon, *Keisling, *Davis, *Richey, *Raper, *McCalmon, *Carringer, *Littleton, *Powers)

ENGROSSED BILLS

April 6, 2023

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 36, 322, 1000, 1012, 1016, 1081, 1162, 1261, 1310, 1319, 1388 and 1482; House Joint Resolutions Nos. 507, 508, 509, 510, 511 and 514;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

April 6, 2023

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 38, 174, 221, 412, 522, 557, 1080, 1531, 1532, 1541, 1547 and 1548; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

ENROLLED BILLS

April 6, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 63 and 65; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 6, 2023

The Speaker announced that he had signed the following: House Resolutions Nos. 63 and 65.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 89

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Representatives present were Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Doggett, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton
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RECESS

On motion of Rep. Cochran, the House stood in recess until 5:00 p.m., Monday, April 10, 2023.